

percent or more decrease in the number of hogs brought to market. In order to finance the "disposal" of the excess of its own members, the organization is demanding a percentage checkoff from the purchase price. But, again, what of non-NFO members? What are they to do with their surplus?

And how do small packers afford the extra money? Again, the Federal Government will be the answer.

In short, I submit that this matter requires careful and thoughtful study quickly by those of the administration who are charged with assuring the Nation of a steady

supply of the food it must eat, with an eye toward maintaining reasonable prices to consumers and the economic well-being of independent meatpacking operations.

Sincerely yours,

JAMES ROOSEVELT,
Member of Congress.

SENATE

MONDAY, SEPTEMBER 17, 1962

The Senate met at 10 o'clock a.m., and was called to order by the President pro tempore.

Rev. Caradine R. Hooton, D.D., general secretary, General Board of Christian Social Concerns, the Methodist Church, Washington, D.C., offered the following prayer:

Almighty God, our Heavenly Father, we thank Thee that Thy grace is greater than all our sins. Give us this day the humility to accept Thy pardon for our every misdoing, and grant us the wisdom to transform all crippling fears into creative faith.

That worldwide turmoil may be displaced by universal tranquillity, we pray for spiritual power to control our scientific potential. At a time when material devices are narrowing our world into a neighborhood, give us the courage to broaden it into a brotherhood.

We invoke the indwelling presence of the Holy Spirit to guide us into a knowledge of truth and govern us in the right exercises of freedom. Abide with every Member of the Congress; and when we separate today, dismiss us with Thy blessing. In the Master's name. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Friday, September 14, 1962, was dispensed with.

REPORT OF A COMMITTEE SUBMITTED DURING ADJOURNMENT

Pursuant to the order of the Senate of September 14, 1962,

Mr. BYRD of Virginia, from the Committee on Finance, reported favorably, with amendments, on September 14, 1962, the bill (H.R. 11970) to promote the general welfare, foreign policy, and security of the United States through international trade agreements and through adjustment assistance to domestic industry, agriculture, and labor, and for other purposes, and submitted a report (No. 2059) thereon.

PRINTING OF INDIVIDUAL VIEWS ON TRADE EXPANSION BILL

Mr. MANSFIELD. Mr. President, the report of the Committee on Finance on the trade expansion bill (H.R. 11970) was filed on Friday last. Through a misunderstanding, the individual views of the Senator from Nebraska [Mr. CURTIS] were not authorized to be

printed in connection with the report of the committee but, in fact, were printed as a part of that report.

I therefore ask unanimous consent for the approval by the Senate of such action.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that the President had approved and signed the following acts:

On September 13, 1962:

S. 476. An act to establish the Point Reyes National Seashore in the State of California, and for other purposes.

On September 14, 1962:

S. 1108. An act authorizing the conveyance of certain property in the city of San Diego to the regents of the University of California;

S. 1878. An act to add certain lands to the Wasatch National Forest, Utah, and for other purposes;

S. 2421. An act to provide for retrocession of legislative jurisdiction over U.S. Naval Supply Depot, Clearfield, Ogden, Utah;

S. 2965. An act to provide authority to accelerate public works programs by the Federal Government and State and local bodies;

S. 3071. An act for the relief of Hidayet Danish Makashidze;

S. 3221. An act to provide for the exchange of certain lands in Puerto Rico; and

S. 3628. An act to amend title 10, United States Code, to authorize the appointment of citizens or nationals of the United States from American Samoa, Guam, or the Virgin Islands to the U.S. Military Academy, the U.S. Naval Academy, and the U.S. Air Force Academy.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had insisted upon its amendments to the bill (S. 901) to advance the marine sciences, to establish a comprehensive 10-year program of oceanographic research and surveys, to promote commerce and navigation, to secure the national defense, to expand ocean, coastal, and Great Lakes resources, to authorize the construction of research and survey ships

and laboratory facilities, to expedite oceanographic instrumentation, to assure systematic studies of effects of radioactive materials in marine environments, to enhance the public health and general welfare, and for other purposes, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. DINGELL, Mr. LENNON, Mr. MACDONALD, Mr. CASEY, Mr. PELLY, Mr. ELLSWORTH, and Mr. MORSE were appointed managers on the part of the House at the conference.

The message also announced that the House had passed the bill (S. 2768) to promote the foreign policy of the United States by authorizing the purchase of U.N. bonds and the appropriation of funds therefor, with amendments, in which it requested the concurrence of the Senate.

The message further announced that the House had agreed to the amendments of the Senate to the bill (H.R. 2292) to authorize the Secretary of the Treasury to issue certificates of honorable discharge in lieu of certificates of disenrollment to certain persons who served as temporary members of the U.S. Coast Guard Reserve during World War II.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 11974) to authorize appropriations for the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 12546. An act to amend the Life Insurance Company Act of the District of Columbia (48 Stat. 1145), approved June 19, 1934, as amended; and

H.R. 12762. An act to amend the District of Columbia Unemployment Compensation Act, as amended.

ENROLLED BILL SIGNED

The message also announced that the Speaker pro tempore had affixed his signature to the enrolled bill (H.R. 5393) to amend the Bankruptcy Act, as amended, and it was signed by the President pro tempore.

HOUSE BILL REFERRED

The bill (H.R. 12546) to amend the Life Insurance Company Act of the District of Columbia (48 Stat. 1145), approved June 19, 1934, as amended, was read twice by its title and referred to the Committee on the District of Columbia.

ORDER DISPENSING WITH CALL OF THE LEGISLATIVE CALENDAR

On request of Mr. MANSFIELD, and by unanimous consent, the call of the Legislative Calendar was dispensed with.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Foreign Relations Committee and the Armed Services Committee, which are acting under the direction of the Senate, be permitted to meet during the session of the Senate today.

The PRESIDENT pro tempore. Without objection, it is so ordered.

LIMITATION OF DEBATE DURING MORNING HOUR

On request of Mr. MANSFIELD, and by unanimous consent, statements during the morning hour were ordered limited to 3 minutes.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Morning business is in order.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

REPORT ON OVEROBLIGATION OF AN APPROPRIATION

A letter from the Governor, Canal Zone Government, Balboa Heights, Canal Zone, reporting, pursuant to law, on the over-obligation of an appropriation in that government; to the Committee on Appropriations.

REPORT ON DEPARTMENT OF THE ARMY RESEARCH AND DEVELOPMENT CONTRACTS

A letter from the Assistant Secretary of the Army, transmitting, pursuant to law, a report of that Department on research and development contracts, for \$50,000 or more, which were awarded during the period January 1, 1962, through June 30, 1962 (with an accompanying report); to the Committee on Armed Services.

REPORT ON BACKLOG OF PENDING APPLICATIONS AND HEARING CASES IN FEDERAL COMMUNICATIONS COMMISSION

A letter from the Chairman, Federal Communications Commission, Washington, D.C., transmitting, pursuant to law, a report on backlog of pending applications and hearing cases in that Commission, as of July 31, 1962 (with an accompanying report); to the Committee on Commerce.

CANCELLATION AND DEFERMENT OF CERTAIN IRRIGATION CHARGES UNDER WAPATO INDIAN IRRIGATION PROJECT, WASHINGTON

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to approve an order of the Secretary of the Interior canceling and de-

ferring certain irrigation charges, eliminating certain tracts of non-Indian-owned land under the Wapato Indian Irrigation Project, Washington, and for other purposes (with accompanying papers); to the Committee on Interior and Insular Affairs.

PETITION

The PRESIDENT pro tempore laid before the Senate a resolution adopted by the Supreme Convention of the Order of Ahepa, at Chicago, Ill., relating to discrimination against U.S. citizens by friendly nations, which was referred to the Committee on Foreign Relations.

BILL AND JOINT RESOLUTION INTRODUCED

A bill and a joint resolution were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. BENNETT:

S. 3725. A bill to establish a Commission on Governmental Operations and Programs; to the Committee on Government Operations.

(See the remarks of Mr. BENNETT when he introduced the above bill, which appear under a separate heading.)

By Mr. ROBERTSON (for himself and Mr. BYRD of Virginia):

S.J. Res. 228. Joint resolution authorizing the issuance of a gold medal to General of the Army Douglas MacArthur; to the Committee on Banking and Currency.

A COMMISSION TO STUDY GOVERNMENT REORGANIZATION AND MEANS TO REDUCE FEDERAL SPENDING

Mr. BENNETT. Mr. President, I introduce, for reference to the appropriate committee, a bill establishing a Commission on Governmental Operations and Programs.

The purpose of this bill is to establish a Commission, independent of the executive branch itself, which can study the overall direction in which the Government is moving with respect to administration of its programs, in order to recommend ways of increasing economy and efficiency and eliminating nonessential, unproductive or wasteful Federal programs.

The Commission will be somewhat similar in purpose and scope to the Hoover Commissions which performed such outstanding service a decade ago.

Indeed, if the Commission were created, President Kennedy might profitably choose to follow the example of President Truman and name as Chairman of the Commission the preceding President of the United States, in this case Dwight D. Eisenhower.

HOOVER COMMISSION PRECEDENT

The need for a new study of the activities and organization of the Federal Government in depth has been increasingly apparent to me during the last few years. Many of the recommendations of the two Hoover Commission reports were adopted during the early 1950's and they eliminated many of the administrative tangles which had been created by

unplanned, piecemeal expansion of Federal agencies and activities. Since that time, however, hundreds of new laws have been passed; a number of new agencies have been created, and as has been the pattern so often in the past, Congress sometimes has created new agencies without giving careful consideration to how their duties and programs will mesh with those of older agencies in related fields.

In other words, Mr. President, it seems to me that in Government, as in house-keeping, there is a need for a periodic housecleaning—a time to take stock of what is on hand, throw out the things which are not needed, and reorganize along more systematic lines the things we want to keep. I think the time for such a housecleaning of the Federal Government is at hand.

COMMISSION OF 12 MEMBERS

The Commission authorized in this bill would be composed of 12 members, 4 appointed by the President, 4 by the President of the Senate, and 4 by the Speaker of the House. The Commission would be given the responsibility of investigating organization and methods of operation of the executive departments and agencies with a view to recommending changes to—

First. Reduce expenditures consistent with the efficient performance of functions;

Second. Eliminate, by consolidation or otherwise, duplication and overlapping of services, activities, and functions;

Third. Abolish services, activities, and functions that are not necessary to the efficient conduct of governmental programs; and

Fourth. Otherwise effect increased efficiency and economy in the conduct of such operations.

The Commission would be asked to submit its report not later than 1 year after its creation.

STILL TIME FOR ACTION

I realize, Mr. President, that it is late in the session to be introducing a bill. However, in view of the nature of this bill, merely creating a Commission, I think it is not unreasonable to suggest that the bill could be passed this session, thereby getting the study underway so that its recommendations can be considered sooner.

The shape of some of the legislative proposals before this Congress, and some of those which the President has indicated will be recommended next year, make it desirable that this step be taken now. For example, the President has indicated that he plans to ask for a tax cut next year, but he has not indicated where the budget might be cut to make room for such a revenue decrease without adding to the national debt. On the contrary, not only is there no prospect of a decrease in Federal spending under present plans, but there is a likelihood—indeed, almost a certainty—that spending will increase again. Expenditures for fiscal 1963 are probably going to exceed the President's previous estimate of \$92.5 billion, and may reach \$97 billion. And it has been estimated that adoption of various administration programs will

increase spending to about \$124 billion by fiscal 1970.

INCREASE IN BUREAUCRACY

Another closely related problem is the rapid increase in the number of Federal employees during the past 2 years. I find it difficult to believe that we need 158,000 more workers to carry on the activities of the Federal Government today than we needed early in 1961, and I suspect that many of these jobs were created without careful study of possible duplication. This great increase in the Federal payroll is a heavy burden on the taxpayer, and if the Commission could show how this incredible growth could be halted, this would be a very great service indeed.

In view of the success of the Hoover Commissions, and in the light of the great need for a study of comparable scope at this time, I urge that the Senate carefully consider creation of this Commission before its adjournment.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 3725) to establish a Commission on Governmental Operations and Programs, introduced by Mr. BENNET, was received, read twice by its title, and referred to the Committee on Government Operations.

TRADE EXPANSION ACT OF 1962—AMENDMENTS

Mr. CURTIS submitted amendments, intended to be proposed by him, to the bill (H.R. 11970) to promote the general welfare, foreign policy, and security of the United States through international trade agreements and through adjustment assistance to domestic industry, agriculture, and labor, and for other purposes, which were ordered to lie on the table and to be printed.

PRINTING OF INTERIM REPORT ON BURNS CREEK DAM AND RESERVOIR, SNAKE RIVER, IDAHO (S. DOC. NO. 130)

Mr. MANSFIELD. Mr. President, on behalf of the Senator from New Mexico [Mr. CHAVEZ], I present a letter from the Secretary of the Army, transmitting a favorable interim report dated September 6, 1962, from the Acting Chief of Engineers, Department of the Army, together with accompanying papers and an illustration, on Burns Creek Dam and Reservoir, Snake River, Idaho, requested by a resolution of the Committee on Public Works, U.S. Senate, adopted March 19, 1954. I ask unanimous consent that the report be printed as a Senate document, with an illustration, and referred to the Committee on Public Works.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc.,

were ordered to be printed in the RECORD, as follows:

By Mr. HUMPHREY:

Address delivered by Senator DODD to the members of the Peace Corps graduating class, at Howard University, Washington, D.C., on September 7, 1962.

CAN WE MEET THE COMMUNIST MILITARY CHALLENGE?

Mr. TALMADGE. Mr. President, in an effort to acquaint the American public more fully with the great issues of our times and to promote more widespread understanding of their significance to the average citizen, the Reader's Digest and the veteran radio-television producer, Theodore Granik, in cooperation with Freedoms Foundation, have pioneered a new concept of public service programing in the form of the radio-television series known as "All America Wants To Know."

This program features informative discussions of leading issues by the men and women who figure in them and know the most about them. It is being seen and heard in every State of our Nation, over more than 1,100 radio and television stations. Its widespread acceptance and ever-growing popularity are a tribute to DeWitt Wallace and Albert Cole, of the Reader's Digest, and Producer Granik, and the outstanding contribution they are making toward a better informed America.

Only recently I had the pleasure of viewing an appearance of my esteemed senior colleague, the Senator from Georgia [Mr. RUSSELL], on "All America Wants To Know." He appeared with a notable panel, consisting of the distinguished junior Senator from Washington, Mr. JACKSON, Brig. Gen. Joseph J. Foss, president of the Air Force Association; the able Congressman from the First District of Louisiana, [Mr. HÉBERT]; and author-journalist Bob Considine. Their subject was "Can We Meet the Communist Military Challenge?" which was based on Mr. Considine's article, "We Can Bury You, Mr. K.," in the July issue of the Reader's Digest. It was an informative discussion which is even more timely today than it was when it was aired. I ask unanimous consent, Mr. President, that the text of the transcript of that program be printed in the body of the RECORD.

There being no objection, the transcript was ordered to be printed in the RECORD, as follows:

ALL AMERICA WANTS TO KNOW

ANNOUNCER. Is general war inevitable as the ideological struggle between the free world and communism increases in intensity? Must we continue a massive military buildup in order to preserve the freedom of the Western World? Are our fighting forces adequately prepared to meet any act of aggression? All America wants to know: "Can We Meet the Communist Military Challenge?" a monthly discussion of the great questions facing our country, presented in the public interest by the Reader's Digest in association with Freedoms Foundation at Valley Forge, and produced by Theodore Granik. This month's subject—"We Can Bury You, Mr. K."—based on an article by Bob Considine appearing in the July Reader's

Digest, the world's most widely read magazine.

To discuss this issue, we are pleased to have as our guests, Senator Richard Russell, of Georgia, chairman of the Senate Armed Services Committee; Senator Henry M. Jackson, of Washington, member of the Senate Armed Services Committee and Joint Committee on Atomic Energy; Brig. Gen. Joseph J. Foss, president of the Air Force Association; Congressman F. Edward Hébert, of Louisiana, member of the House Armed Services Committee; and Mr. Bob Considine, distinguished journalist for the King Features Syndicate.

Now here is your moderator, Mr. Granik. Mr. GRANIK. Senator RUSSELL, in reading Mr. Considine's survey in the Reader's Digest of our massive striking power, can we say that the West is really in a position to negotiate from strength?

Senator RUSSELL. Well, there's no doubt in my mind that as of today we have the most powerful and most destructive military system and organization that has ever been assembled by any one country at any time, even in time of war. We have a wider mix of weapons, a greater variety of means of attack and of delivering those weapons than we have ever had before. I would say that as of today we are in a position, on behalf of the Western World, to negotiate from a position of great military power.

Mr. GRANIK. Senator JACKSON, do you have a word there?

Senator JACKSON. I concur completely with Senator RUSSELL's statement. There isn't any question in my mind that even if the Soviets as of now should attempt a surprise attack—a Pearl Harbor type of attack—that we have a survivable retaliatory force. This force is dispersed all over the world, and I don't believe that it would be possible for them, in view of the state of alertness, readiness, for them to destroy our means of retaliating and destroying them.

Mr. GRANIK. Mr. Considine.

Mr. CONSIDINE. Gentlemen, there's been a great deal of discussion lately as to—we all admit that we're very strong and we indeed could bury Mr. K., to quote him. But can we fight these miserable wars in Laos and go to the defense of Thailand and Vietnam—the niggling little wasting war against guerrillas? Do you feel that we're getting stronger in that respect, Congressman HÉBERT?

Congressman HÉBERT. Well, of course, I think the one danger that we have to face in discussing the foregoing, is the fact that we're drawn out too thinly—the butter is too thin on the bread and it would naturally weaken us, short of an all-out nuclear war. In the present situation, I feel certain we can contain the Communists with the guerrilla forces that we have in being, and the emphasis has reversed in recent months to a reestablishment—a rehabilitation—of what we knew as our American commandos, and through a conventional war.

Mr. CONSIDINE. General Foss, I have a question for you. The Air Force maintains, and I think justly, that the B-36 was a towering success even though it never dropped so much as a nut or a bolt on an enemy. The very fact that it existed was a deterrent, and a massive deterrent, to war. And now even in this day of the missile, we still need a manned bomber and we still need to employ the very latest in manned bombers. Can you say something in behalf of the RS-70 and give some hope of its future employment?

General Foss. Well, actually, I'll go a little beyond that. The thing that we have to worry about right now is not only being strong today and ahead of the Russians today, but worrying about the future. We always have to think of our strength in relative strength to the Russians and maintain

that lead that we enjoy at the present. And we are 100 percent—and when I say we, the Air Force Association—behind the RS-70, because we realize that you must have this variation of weapons in order to not be caught and fight on their basis. We have to be able to pick the basis that we want to fight on. We can't be in the position of the southern general that said he could whip the Yankees with a cornstalk, and after the war was over, they said, "Well, what happened, you lost that battle?" and he said, "They didn't fight me with cornstalks." We have to look ahead and the 70 is the thing that we maintain we must have to keep the manned bomber in the picture.

Mr. GRANIK. Senator RUSSELL.

Senator RUSSELL. Well I think that the RS-70 has a very useful purpose. We have been successful with our missiles but I am not yet ready to rest the security of this country completely on the missiles. We have had priority and a great lead in the manned bomber since the airplane was first constructed, and it has meant a great deal to our prestige in the world, and if for no other purpose, it would be worthwhile to complete the RS-70. Of course, the fact that we have developed weapons that can be used in conjunction with the existing bombers to throw missiles from hundreds of miles has made it where it isn't as important to have it as a bomber, but as a reconnaissance plane. I have been convinced that it is very important.

Mr. GRANIK. Gentlemen, much of our defense program has been directed toward the development of missiles. The Titan I has proven to be a highly effective deterrent weapon. We are now proceeding with the development of Titan II. Now, with such long-range operational missiles, is it necessary to maintain numerous military bases abroad, Senator RUSSELL?

Senator RUSSELL. Yes, I think that we can justify the maintenance of these military bases. It would present an almost insurmountable problem to the Soviet to knock them all out at one time even if they had an unlimited number of missiles and of bombers. And the fact that we have these bases scattered all around the world is one of the strongest features of our entire military system. I'm not one of those that think that just because we have developed a long-range missile that we can afford to abandon all of these bases. They have a certain disadvantage. I think they have caused some of our allies to somewhat relax in their efforts to provide their own defenses.

Congressman HÉBERT. The great strength of America today to strike back in defense is its mix. It has almost a perfect mix. You've got it striking from under the water, on the water, on the land, from the sky. And the Russians, of course, know this. And the mobility and diversification of our striking power is the thing that keeps the Russian in bay. There's an example in the Continental Command. You have your long-range bombers. Then you go to sea. You've got the Polaris submarine, and I think this is a very important thing, if the American public would only realize that one Polaris submarine can fire more destructive power on the Eurasian Continent than was fired by both sides in World War II. That's a terrific bomb load there. Then you have carrier task force.

Senator JACKSON. And one B-52 bomber can carry greater destructive power than the Polaris submarine. So each system—

Congressman HÉBERT. Well, the system here—you're talking about the bombers, and with these exotic missiles that the Senator was talking about, too, that carrying four of these missiles in a B-52 bomber, you can drop in excess of 200 times more destructive power than was dropped on Hiroshima with the first bomb.

Mr. GRANIK. General Foss.

General Foss. Well, there's one thing I'd like to add to that, and that's the position that we've been maintaining for about the past 5 years in the Air Force Association, and a thing that's recently been picked up by the White House and the National Space Advisory Council, and that is getting into space with the weapons system. You absolutely have to have some kind of a defense up there and an adequate system so that if the Russians or someone else gets up there and suddenly says, you don't come up here, that we aren't in trouble. We just cannot create that thing overnight. And if they suddenly, when we launch a man into outer space, chase him out again, and lay the law down on us, we're in trouble.

Mr. CONSIDINE. General, I think that's a most important thing that you've brought up. I foresee and predict that within a year there's going to be a showdown of some nature—I don't know which, Senators or Congressman—between NASA and the Air Force.

Senator RUSSELL. There has been an over-emphasis on the NASA program rather than on its military value. But we have our military people in the entire NASA program. You well know that these missiles they use even today to put these men in space were developed by the military departments. And that's one thing that we must not permit to happen here, to eliminate the military from the space program because it can, just as General Foss has pointed out, be a vital and determining factor in future wars.

Congressman HÉBERT. What I'm very much concerned about, and carrying your point even further, I'm very much concerned about tomorrow in connection with the diluting of the military today. To be a military man today in some areas of the Defense Department is a dirty word. As the Senator pointed out, these four astronauts were successful. You didn't see them in uniform, except one, Colonel Glenn, and then he was in uniform under orders. You have some people in the Pentagon who today think the Congress itself is not a necessary evil but an unnecessary evil.

Senator RUSSELL. While the military has been downgraded and kept in the background during the shots, we have really gotten a great deal of military benefit from all of these shots that NASA has made.

General Foss. There has been a lot of by-products that we can pick up, but my point is that you have to go beyond those by-products that we already have, and fast, because I maintain that every minute counts.

Senator JACKSON. Well, we have the follow-on Dyna-Soar program, as you know, which is a boost glide system.

General Foss. Well, that's 3 years hence.

Senator JACKSON. This is right, but there is a long leadtime and we need to push these programs.

General Foss. By which time NASA will be well on its way to the moon.

Senator JACKSON. Well, but just going to the moon is going to give us invaluable information, both as to the military implications in outer space and for the further prosecution of our own surface-to-surface weapons here.

Mr. CONSIDINE. My general point, Ted, was that here we are about to make a pact of some sort with the Russians to go hand in hand in space, at least for weather studies, and so forth. Apparently we're going to have some sort of a deal with them, and we seem to be closer to the Russians actually than NASA and the Air Force are closer together. And I wondered if we could have a pact between NASA and the Air Force, for example, in the building of or the creation of a common booster. There's no military application to Saturn.

Senator JACKSON. Yes, oh, yes. It's the foundation because it will provide the thrust that you need to get into orbit the military systems that could be of great value.

Mr. CONSIDINE. But no ground-to-ground direct—

Senator JACKSON. Well, but you launch it and then they can—

Congressman HÉBERT. Keep in mind, too, that their Atlas, too, was a military original weapon, and NASA is using it. I think these things entwine as they are used and utilized.

Mr. GRANIK. Well, all of this is planning for now. But what about 5 years from now?

General Foss. Actually the thing to be really concerned about, it's like General Arnold said just at the close of World War II, we must be thinking about the U.S. Air Force for the next 20 years. And now that 20 years have passed and you can see the great change that there's been, now we have to say right today, What about the next 5 years and the next 10, 15, 20, and tomorrow?

Congressman HÉBERT. That's what concerns me and that's why I'm so much concerned over the attitude of some people now who are shoving aside the military knowledge and allowing civilians or scientists, if you please, with a sort of a guilt complex, to influence decisions. Now the short-sighted policy was the RS-70. After the 52 we have no manned bomber.

Senator JACKSON. I think, in order to get this a little bit in perspective, Mr. Khrushchev made a speech to the 22d party congress. Sometimes, you know, the most effective form of deception is candor. Mr. Hitler told the world precisely what he was going to do and no one believed him. Mr. Khrushchev has made it very clear, and I think this is a fairly accurate statement, that general war is unthinkable, limited wars—he ruled out limited wars because they lead to general wars—and he talked about the third one, wars of liberation. He announced this over a year ago, and look what's going on. I mean, this is what's happening in Laos, in South Vietnam and elsewhere. And it does seem to me that we're doing a pretty fair job if we continue to build in our ability to develop strategic weapons systems that are survivable. This is the key thing because you no longer can have warning that has any real meaning. You can't rely on warning. I think we're doing that job fairly well. We have more to do as General Foss has so effectively pointed out. The real problem gets into the question of how do you fight these limited wars, or wars of liberation, and it should be remembered that in less than a year, we've doubled—I believe, Senator RUSSELL—the combat strength of the Army, as far as active divisions.

Senator RUSSELL. I think that we are going to have to spend a large sum of money for many years to come to maintain a Military Establishment that will assure world peace, or at least that will avoid the holocaust of atomic nuclear war. That is a great deal of money, but after all, it is to defend something that is beyond price.

General Foss. There is one thing about the Soviets. They are always trying to get us into that peaceful coexistence thing, and that is exactly where they would like to have us, because, why, their idea of coexistence is to step right in the middle of our face, and they would like to get us into these wars along the way that will drain us, as you so aptly put it.

Mr. GRANIK. Our present missile-firing submarines, such as the *Nautilus*, the *Seawolf*, and the *Ethan Allen*, are capable of firing Polaris missiles against the enemy from underwater. In your opinion, do our present plans for 41 missile-firing submarines constitute an adequate program?

Senator JACKSON. Well, my guess is that we will increase that program. This is just an opinion of mine. It seems to me that it meets the real hard tests of a strategic weapons system, and that is, No. 1, Will it survive? Can it be located easily by the enemy? I would say, as of now, it cannot, but we must remember that the Soviets have

nuclear-powered submarines, and we will have to assume that it will not be long before they will have a similar capability that we now possess, which I think is the kind of mix that Senator RUSSELL referred to earlier in his remarks, that we need, because we don't want to depend on any one system. It is this proper mix with the proper geography that gives us a survivable force.

Congressman HÉBERT. Of course, there again, Senator JACKSON, you point up what I attempted to point up at the beginning, as to what to look to tomorrow in the future. If we had not run into a crisis, we would not have had the Polaris program today as we have it. The Congress was urging. Other people were not dragging their heels.

Senator JACKSON. There's a fellow named Admiral Rickover that we owe a lot to.

Congressman HÉBERT. And a man named Admiral Rayburn, too. But I'm talking about the Polaris as a weapon. I'm talking about the submarine as a nuclear submarine.

Senator JACKSON. I understand. But bear in mind there is a serious question of whether we would have had one. I watched this thing when I was on the Joint Committee in the House starting in 1949, when there were real doubts in the Navy about a nuclear powered submarine.

Congressman HÉBERT. I'm talking about a weapon now.

Senator JACKSON. This was the beginning of it.

General FOSS. The thing that really kicked it off, Congressman and Senator, happened to be Congress. I mean, after Rickover and the other admiral there had picked out a course to travel, Congress was the one that really—

Senator RUSSELL. Congress is undoubtedly entitled for the credit for our preeminence in the Polaris submarine. It is the most advanced—will be the most valuable single part—

Congressman HÉBERT. That's it, Senator. That's what I'm saying and Congress is being shunted aside when Congress has always been ahead.

Senator JACKSON. Well, but I think that we must remember that they did fund finally the increases that we put in over and above the budget.

Senator RUSSELL. That's right. They spent the money after we forced it on them.

Congressman HÉBERT. That's correct. You had to make them do it. That's what concerns me.

Senator JACKSON. And Admiral Rickover was going to be removed if it hadn't been for the Senate Armed Services Committee.

Mr. CONSIDINE. Well, we'll have Congress to thank for the RS-70.

Congressman HÉBERT. As a matter of fact, if there hadn't been a walk in the rose garden, there would have probably been a Secretary for Air and a Chief of Air out of jobs, too.

Mr. GRANIK. Mr. Considine, in your Reader's Digest article, you talk of NATO and the shield and the sword. Can you tell us a little more about it? Can we depend on NATO?

Mr. CONSIDINE. I'm sure we can from my observation, and these people have as much stake in their future as we have in our future. They have determination and will—the will to fight. I think they work very well together. I think they work well under an American chief. There seems to be a minimum of bickering and rivalry and dissension, and if hundreds and hundreds of fighter bombers and determined divisions reaching from Norway to Turkey don't constitute a shield, the earth never saw one.

General FOSS. There was one thing, a little off the subject on your article there, there was one quote in there that some colonel was given credit for, where he said, I don't know what they're worrying about shelters

in America for, because we're going to stop everything right over here. Well, I'd sort of have to disagree with the good colonel. I maintain that the civil defense might come in a little bit handy, because a few of them might get through. You can talk to any of the experts and they'll tell you that, regardless of the system that we have, some will get by. And it's a pretty good idea to be able to have some of your population in the majority of the areas that can be underground at the time that anything would happen if it ever happens.

Senator RUSSELL. Yes, but more important, to have them prepared psychologically for it, is to have them realize that some of them will get through and we will sustain severe losses, and that the American people must carry on as they always have under those circumstances.

General FOSS. The ability to come back. Senator RUSSELL. That's right.

Mr. GRANIK. Gentlemen, we have been talking about the operation and development of a vast new military striking force. How can this be utilized in a case of so-called limited warfare, such as we experienced in Korea and which threatens us now in Vietnam? Congressman HÉBERT, would you care to comment?

Congressman HÉBERT. Yes. It's what we've been talking about here all the time, is the mix. Some weapons are usable in certain areas. Others are not. For instance, as a weapon, your B-36, it was not worth anything in Korea. But, yet, you had the carrier-based planes which could go in there. Now in another area of the world, if you have to have guerrilla warfare, you have the missiles that support the ground troops. You have the Marines who can land and do their particular job in their area. No matter what type of war is fought or is contemplated, I am in thorough agreement with Senator RUSSELL on our strength today, that we can fight any war, any place, any kind of war, and win it. I am concerned, and I keep coming back to it, is what about tomorrow. Don't let us lose what we have got today.

Senator JACKSON. Well, I think there's another important point, too, in Bob's article, when he talked about the will, which is a very essential element of any weapons system. I think the wise use of our military power to achieve our foreign policy objectives, of course, is the key to this. You can have the finest military system on earth, but unless we use this power wisely and effectively, without fear, then I think we are in trouble. There is a tendency on the part of many people who immediately dismiss any thought of taking a firm stand anywhere, because of the danger of a thermal nuclear war. It sounds as if we are the only ones that fear a thermal nuclear war. The Soviets fear a thermal nuclear war and we must be willing, it seems to me, to go all the way down the road, if necessary, to maintain our position that we need to maintain to preserve the freedom and the system that we live under in the United States. And it's the use of this power and the willingness to use it wisely, without fear, will determine whether the systems we are building have any real meaning as far as freedom is concerned.

Mr. GRANIK. Mr. Considine, what about our allies? Will they go all the way down the road?

Mr. CONSIDINE. I think most of them will. I don't think all of them would. There would be some weaning away, I would think, of some of the weaker nations with the weaker leadership. But I think by and large our allies are firmer than any we ever had in time of peace. And it seems to me that we, for the first time in the history of the Nation, in peacetime, are ready to fight.

Mr. GRANIK. You have been there. Can you tell us which ones? Would it be a long guess?

Mr. CONSIDINE. England certainly would be with us, Norway, Spain, and I believe Italy.

Senator RUSSELL. I believe De Gaulle will be there if the Russians ever blow the whistle.

Mr. CONSIDINE. And I think De Gaulle would see more eye to eye with us in case of war.

Congressman HÉBERT. And the West Germans?

Mr. CONSIDINE. The West Germans. Congressman HÉBERT. The West Germans would be our real strength.

Senator JACKSON. Of course, the problem in NATO, it seems to me, is that—what was mentioned early, I think, by Senator RUSSELL—we provide this enormous nuclear retaliatory force and they assume that we don't need ground forces. We do need greater flexibility so that we can fight more than one type of war. This is the great weakness in the NATO shield at this time.

Mr. GRANIK. Thank you very much, Senator RICHARD RUSSELL, of Georgia, for being our guest on "All America Wants to Know." And thanks to our distinguished panel for a most interesting discussion, Senator HENRY M. JACKSON, of Washington State, member of the Armed Services Committee; Brig. Gen. Joseph J. Foss, president of the Air Force Association; Congressman F. EDWARD HÉBERT, of Louisiana, chairman of the Subcommittee for Special Investigations; and Bob Considine, distinguished journalist of the King Features Syndicate.

BOMBER TESTS OVER OHIO

Mr. YOUNG of Ohio. Mr. President, I have received from residents of Cleveland, Ohio, Cincinnati, Ohio, and areas surrounding these cities hundreds of letters and telegrams in which complaints are made about the nightly test bomber runs over these two cities and the resulting nuisance and damage caused by the sonic booms from the jet aircraft. Of the 50 cities in 25 States being used as simulated targets, Cleveland is the largest.

I fully realize the necessity for these test flights over metropolitan areas. It is reassuring to know that the leaders of our Armed Forces are continually on the alert and are untiring in maintaining our defense preparedness. I am aware of the fact that war conditions and war targets have to be duplicated as closely as possible, and that the Nike sites surrounding major cities can track the bomb runs and can determine their success.

Mr. President, it is far better to listen to sonic booms than to listen to the shrill, deathly screech of falling bombs. Let us fervently hope and pray that Americans will never hear that terrible sound, with which many of us who served in either of the World Wars are familiar. To prevent such tragic possibility, we need an Air Force that is prepared; and to be so, it must engage in these daily exercises. If ever war should come, it is absolutely essential that our armies have this training and experience.

Officials of the Department of the Air Force have stated that these test runs will continue indefinitely. The people of Ohio are ready and willing to take their fair share of the sonic booms and the discomfort, fright, and damage caused by them. Ohioans stand second

to none in their patriotism and willingness to undergo this inconvenience for the welfare of the Nation and for the cause of world peace.

However, Mr. President—and I say this because constituents have sent me photographs showing the broken windows and cracks and other damage to the walls of their homes—we in Ohio feel that our fellow Americans in the other States of the Union should also eventually be permitted to share in this patriotic undertaking. We do not wish to be selfish about this matter and have the sonic booms heard only by the residents of Cincinnati, Cleveland, and the neighboring parts of Ohio. We do not wish to be unfair to the 170 million other Americans, who live outside of Ohio. We believe that those who live in other cities should be permitted to participate in this project. There are, after all, a great many other large cities and industrial complexes in the United States.

I am confident the officials of the Department of the Air Force are the only ones sufficiently informed on this subject to be able to determine when Ohio will be passed by, in favor of other areas, for this project. I am sure they will be fair in making this determination—in deciding when to move the sonic-boom-producing aircraft to other targets. Although, as I have said, we recognize the necessity of carrying on these tests, we are hopeful that the decision to vary the simulated target areas will be made in the near future.

JAMES E. MOSS

Mr. BENNETT. Mr. President, all of the citizens of Utah—and particularly those who were interested in education and in high school athletics of the twenties and thirties—were saddened by the passing, on September 10, of James E. Moss, organizer, and for many years head of the Utah High School Athletic Association. He also was the principal of two of Utah's foremost high schools, Granite and Murray. Many of us here in the Senate met him when he came proudly to Washington in January 1959 to see his son, FRANK E. MOSS, sworn in as Utah's junior Senator.

His passing inspired many expressions of appreciation from people from all walks of life in Utah, and these have been brought into focus by editorials that appeared in both of Salt Lake's daily papers. I ask unanimous consent that these editorials may be printed in the body of the RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

JAMES E. MOSS

James E. Moss, dean of Utah high school athletics, beloved teacher and "Uncle Jimmy" to thousands of boys for half a century, has left a rich legacy of goodness, clean living, and true sportsmanship with the youth of Utah. When Mr. Moss, 87, died Monday, the realm of scholastic sports lost a pioneer organizer, enthusiastic booster, and wise counselor.

Mr. Moss was a schoolteacher at the age of 18. Striving always to increase his knowledge, he continued his college work, attended summer school, took extension courses, and coached high school teams. He became

principal of Granite High School, president of the Board of Education of the Granite School District, vice president of the Utah Educational Institution, and member of the Salt Lake County Board of Examiners.

James Moss served also in numerous positions in the church, including superintendent of the Granite Stake Mutual Improvement Association, president of his elders quorum, bishop of the Holladay Ward and member of the Cottonwood Stake High Council.

Throughout his busy educational, civic, and church career, Mr. Moss retained his great interest in boys and their athletic activities. He conceived the idea of the Utah High School Athletic Association, and with the help of C. Oren Wilson of the East High School faculty and others, became the organizer of this strong scholastic organization.

Nobody ever loved high school sports more than "Jimmy" Moss. His patient and kind consideration of "his boys," encouragement of the discouraged, and his skill in arbitration of their disputes, won him the love and esteem of all with whom he worked.

He loved Granite High, attended most of its "pep" rallies, and always left a message of inspiration and strength with the athletes and students. His happiest years were when his son FRANK E. (Ted) Moss, now U.S. Senator, was a star athlete at Granite and went on to win fame as a University of Utah track star. "Ted" probably never ran a race on the "U" track without his devoted "dad" on the sidelines to give him encouragement.

James E. Moss had friends everywhere. The Deseret News is proud to be numbered among the myriad of admirers of this fine Christian gentleman, and to express its appreciation for his exemplary life.

JAMES E. MOSS

James E. Moss, who died Monday at the age of 87, was the father of U.S. Senator FRANK E. MOSS, of Utah. But Senator Moss would be the first to say that his father had established distinction in his own right long before his son even thought of running for the U.S. Senate.

James Moss had a long and distinguished career in Utah education, and in addition establishing himself as a leader (some say the father) of organized high school athletics in the State.

Way back in 1893 as a lad of 18, Mr. Moss started his career as an educator which was to continue in a wide range of capacities for more than 50 years. It is unnecessary to enumerate all of James Moss' educational and athletic interests. Suffice it to say they ran the gamut of first principal of both Granite and Murray High Schools, first clerk and later member and president of the Granite Board of Education, organizer, secretary, and longtime president of the Utah High School Athletic Association, and head of physical education for the LDS University.

Many who knew and loved James E. Moss will join with the Tribune in paying tribute to his long service to education and high school athletics, and in extending condolences to the members of his family.

THE 175TH ANNIVERSARY OF THE CONSTITUTION OF THE UNITED STATES

Mr. LONG of Missouri. Mr. President, 175 years ago today, the basic foundation of the oldest governmental system in the world was agreed to by its framers. On that day, the names George Washington, Alexander Hamilton, Benjamin Franklin, Robert Morris, James Madison, Jr., J. Rutledge, Charles Pinckney, and others were subscribed to a document which was to stand as the law of

the land for 13 States huddled along the Atlantic coast and for 50 States spread from the Atlantic to a group of islands thousands of miles out in the Pacific and to a land which extends into the Arctic Circle.

This document, known as the Constitution of the United States of America, not only has weathered the years and territorial expansion, but it has survived civil war and major economic and social transition. It was drafted to provide a stable government for the Original Thirteen States which looked to agriculture as their economic strength. Today it is the foundation of government for a nation which is the foremost agricultural and industrial leader of the world.

But even more, it is the foundation of the government which bears the leadership mantle of freedom. No one can deny the grave denials of freedom which have persisted in our Nation throughout its history. However, to the converse, no one can deny that man has known greater freedom in this Nation than ever before in the history of mankind.

This Constitution has worked because it was written in the words of freemen in the 12th year of their freedom. It contains only the most basic principles which must be present in the hearts of all freemen. It has grown stronger through the words of John Marshall, through the swords of U. S. Grant, Sherman, and Sheridan, through the curiosity of Lewis and Clark, through the dreams of Wilson and Roosevelt, through the courage of York and Kelly, through the humor of Rogers and Hope, and through the determination of Truman and Kennedy.

While today we honor the 175th anniversary of the Constitution, we cannot overlook that this year we also honor the 100th anniversary of a document, which, more than any other, gave full meaning to the Constitution. This document, the Emancipation Proclamation, recognized that all men are human. Hard as it is for many of us to conceive, some men prior to 1862 were looked upon legally as property. The Civil War not only determined that the Union would persist but also that all men would be equal before the law.

We have come a long way in the past 100 years, but the progress has been slow and we still have a long way to go. However, we can no longer tolerate the slow progress of the past. We must move with dispatch in bringing to all men the full realization of freedom. With every step forward, we strengthen our Union and our maximum strength is necessary if we are to prevail in the days that lie ahead. The wisdom of those who met in Philadelphia gave us the framework, the drive of the pioneers gave us the land, the imagination of our inventors gave us the tools, and the faith of millions of Americans gave us the strength. With trust in God, we can attain the goal of man—universal freedom and peace.

POINT REYES NATIONAL SEASHORE, CALIF.

Mr. ENGLE. Mr. President, it was a great satisfaction to me to be present in the White House last Thursday, when

President Kennedy signed my bill, S. 476, to create the Point Reyes National Seashore in California.

I will not further extoll the scenic grandeur and the recreational potential of this area which the National Park Service has so aptly described as "an island in time" where the rising tide of population has not yet washed over the natural scene. I merely want to point out what a long, hard struggle it has been—and always is—to achieve a legislative objective of this importance. In this case it has taken more than 4 years, covering three Congresses.

I started out as a Member of the House in the 85th Congress when on July 16, 1958, I introduced House Resolution 634 to direct the Secretary of the Interior to prepare a report on a proposed Point Reyes National Seashore Recreational Area. The bill was reported favorably by the House Interior Committee but did not get action on the floor.

In the 86th Congress, as a Member of the Senate, I introduced on July 23, 1959, an authorization bill, S. 2428, to establish the Point Reyes National Seashore as recommended by the National Park Service. Congressman CLEM MILLER, of Marin County, the locale of Point Reyes, introduced a companion bill, H.R. 8358. We got hearings both in Washington, D.C., and in California—and the latter, held at Kentfield in April 1960, was a turning point. It conclusively demonstrated overwhelming popular support for the park. But it came too late to complete legislative action in that Congress.

Then on January 4, 1961, I publicly announced my intention to introduce the legislation again in the 87th Congress. My colleague, the senior Senator from California [Mr. KUCHEL] asked to join as a cosponsor. I introduced the bill, S. 476, on January 17, 1961. Representative CLEM MILLER introduced an identical bill, H.R. 2775.

The rest you all know. After extensive committee hearings the Senate passed my bill on September 7, 1961. The House passed it on July 23, 1962. The Senate reconciled the differences on August 31, 1962. The President signed the bill on September 13, 1962.

Now we have a beautiful new national park, the Point Reyes National Seashore in Marin County, Calif. But the battle is not over. We still need funds at the earliest possible date to begin to acquire lands before more of the area is cut up in real estate subdivisions. I have initiated a request for a supplemental appropriation of \$5 million from this Congress.

TRIBUTE TO VERYL HOOVER

Mr. HICKEY. Mr. President, I wish to have printed in the RECORD the text of a tribute paid to Mr. Veryl Hoover at a dinner in his honor in Casper, Wyo., on September 12, 1962.

Mr. Hoover, Wyoming division manager of the Pacific Power & Light Co., has recently been elevated to the position of vice president for sales for the entire Pacific Power & Light system. The dinner and the remarks made by Mr. Robert R. Rose, a prominent Casper attorney, typify the gestures that Wyoming

people make to persons who have so significantly contributed to the economic growth of Wyoming.

Mr. Hoover has been one of the persons who has cooperated with the Bureau of Reclamation in using to the fullest extent all the resources which have been harnessed by the Bureau in a joint venture of Government and private industry. Veryl Hoover epitomizes the farsightedness of progressive thinking in the resource development of the Western States.

Mr. President, I ask unanimous consent that the tribute to Mr. Hoover be printed in the RECORD.

There being no objection, the tribute was ordered to be printed in the RECORD, as follows:

REMARKS IN RE VERYL HOOVER DINNER

(By Robert R. Rose, Jr.)

The theme of tonight's remarks has tended to equate the name of Veryl Hoover with the phrase "industrial ambassador from Wyoming."

One of his friends who is here tonight described it to me another way recently—he said—Hoover has been the greatest thing for this country since Salt Creek.

It is rare, indeed, that any person should have lived in the State of Wyoming for 7 short years and have been able to accomplish so much and so impress his fellow citizens that, upon his leaving, friends and acquaintances would seek the opportunity to give thanks and appreciation to him through such an expression as we are experiencing tonight.

How many of us will ever enjoy such a heartfelt exhibition of honor where the mayor of our city, the Governor, and U.S. Senator of one of our great States, will interrupt their busy business of government to pay us tribute—where those with whom we have worked with anxiously and spontaneously assemble in an effort to express us thanks and do us honor?

It would seem to me that such an exhibit of thanksgiving will come to very few of us.

Why, then, does it come to Veryl Hoover? It might be assumed by some that Veryl's interest in us has come as a natural consequence of the responsible position that he has held in the Pacific Power & Light Co.—this might have been a contributing factor—but only, in my opinion, a contributing factor.

It might be assumed that his interest in us has come about through a desire to further his future in the utility world and that, therefore, his promotion to higher position with his company is but the culmination of these efforts.

Those who have known him best and who have been privileged to enjoy a close personal friendship with him know that these are not the real reasons for Veryl's interest in Wyoming and her people and for his accomplishments.

To know and understand his contribution to us requires a moment's recollection of our past trials and tribulations.

Many of us who have lived our lives in Wyoming have, down through the years, wishfully speculated about the potential of this great State.

We, in our hearts, have felt and believed that our low-grade iron ore would one day become an asset in the mainstream of industrial development, but our efforts had not met with fruition.

We had long believed that surely the great energies of our coal reserves were destined for uses that were not confined to the firing of locomotive steam engines—but we were unable to define and develop these reserves of coal and apply them to their potential uses.

We have had a brushing acquaintance with the possibilities of chemicals from coal—electrical energy from coal—of the possibilities and potentialities of research and development of new minerals and low-grade ores and the hope for attracting new industry to the natural resource realm of our economy.

We were only moderately successful in getting our story across to those who could bring these accomplishments about.

It has, for us all, been a long, hard, difficult, and sometimes disappointing uphill battle.

It is not, I think, an overglorification for me to say to these distinguished friends who are here tonight to reexpress their friendship and appreciation to Veryl; that it was his appearance upon the Wyoming scene that seemed to us all to furnish the spark, the knowledge, the vision, and the imagination which, when applied to our hopes and dreams, has enabled them to become reality.

We, of Wyoming, cannot but believe, Mr. McKee, that our great company has found it wise to invest these vast sums of money, energy and know-how in this State, in large measure, because you have become convinced, through the representations of our honored guest, that it is here in this now sparsely populated area of the West that your investments together with the Veryl Hoover type of imagination will be most profitably applied to the benefits of your people—to the West and to mankind.

In paying him honor, we pay honor, then, to this great imagination which has permitted the Nation to know of our State's industrial potentials and thus brought to reality the success of those hard efforts which so many of our people have so long sought to accomplish.

It is, then, through the perceptiveness of his imagination, which has successfully conceived of the potentials of Wyoming, that Veryl has come to be so closely bound to our State and her people.

Veryl—for this faith of yours in us and for your having enabled us to reaffirm our faith in ourselves—we are grateful to you.

We express our appreciation to you for the humility with which you have undertaken your tasks and received your honors.

We know you like us because you have become one of us.

If it were possible for me to express that which your friends feel in their hearts, it would be to simply say:

It is with the deepest regret that we see you leave us but as you do, you must know:

The State of Wyoming is a greater State for your having been one of her citizens.

The people have a broader outlook, keener vision, and lighter hearts as they look to their future tasks.

Finally, no matter what your future accomplishments, Veryl Hoover will never be more loved and appreciated than he is here tonight.

GOVERNMENT IN BUSINESS

Mr. McGEE. Mr. President, for the past few years we have been hearing anguished cries from the far right about "getting the Government out of business." It is my contention, Mr. President, that business and Government operate in what you might call a "Siamese twin" relationship. Each is dependent upon the other and neither could survive independently.

An editorial in the Laramie Daily Boomerang on September 7 cites several examples of businesses that have a great impact upon the economy yet could not exist without substantial Government assistance in contracts and research

grants. Such industries include aircraft, electronics, and many of the missile sciences. As this editorial points out, the ideological purists may find this relationship objectionable but it has produced some of the most important scientific discoveries of our time and probably will be around for some time.

Mr. President, I ask unanimous consent to have this editorial printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

FREE ENTERPRISE AND DEFENSE

With the prospect strong that this country will be spending \$48 billion or more for defense annually for years to come, there can hardly be any way to test what the American economy could do without this massive support.

We all well understand that the dollar benefits of this program flow in huge streams to many of our largest industrial establishments and their suppliers.

For instance, the three prime contractors at a new big missile building plant include one automobile manufacturer and two major aircraft companies.

The planemakers, of course, always have been heavily dependent upon military business. The needs of civil aviation do not generate enough activity for profitable operations, nor are they capable of defraying the immense cost of developing new types of aircraft.

Yet this kind of dependence on Government contract is surpassed in today's economy.

There has grown up in the United States in the last decade or so a category of companies which rely almost totally on the Federal Government for business.

Many of these produce highly specialized products in the electronics field and are related to our missile and space effort. But that same effort also has stimulated the growth of countless firms whose product is analysis, engineering studies, research and development work.

Some of these cluster around such key university centers as Boston. Even Washington, generally thought of as a city without industry, has a good share of this business.

These establishments are in most cases equipped with modern technical facilities and manned by some of this Nation's brightest people. They are truly on our industrial frontier.

It is difficult to imagine what would become of them if their defense contracts suddenly were shut off. The casualties among them undoubtedly would be severe. They have no present life outside their association with Government effort.

Companies in this special category are part of our private enterprise system, as of course are those huge manufacturers who rely on Washington for only a portion of their business.

We are accustomed to hearing some politicians argue loudly to "get the Government out of business." Clearly they cannot mean this in the truest and fullest sense.

For it is obvious that today private enterprise is tightly bound up with public enterprise. This may disturb ideological purists, but it is a fact not likely to be altered so long as the cold war continues and America devotes itself to massive space projects.

The PRESIDENT pro tempore. Is there further morning business? If not, morning business is closed.

CERTAIN LANDS ADMINISTERED BY FISH AND WILDLIFE SERVICE

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of the unfinished business, Senate bill 2138.

The motion was agreed to; and the Senate resumed the consideration of the bill (S. 2138) to provide that a greater percentage of the increase from lands administered by the Fish and Wildlife Service of the Department of the Interior be returned to the counties in which such lands are situated.

TRADE EXPANSION ACT OF 1962

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside, and that the Senate proceed to the consideration of Calendar No. 2025, House bill 11970, the so-called Trade Expansion Act of 1962.

The PRESIDENT pro tempore. Without objection, it is so ordered; and the Senate will proceed to the consideration of House bill 11970.

The Senate proceeded to the consideration of the bill (H.R. 11970) to promote the general welfare, foreign policy, and security of the United States through international trade agreements and through adjustment assistance to domestic industry, agriculture, and labor, and for other purposes.

Mr. MANSFIELD. Mr. President, what is the pending business?

The PRESIDENT pro tempore. The pending business is the so-called trade bill, Calendar No. 2025, H.R. 11970.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. YOUNG of Ohio. Mr. President, the trade expansion bill before Congress will tremendously accelerate business recovery in our country. My State of Ohio is the fourth largest in the United States on the basis of exports of products to nations abroad. In other words, there are only 3 States of the 50 in the United States which exceed the State of Ohio in the immensity of their exports. That is one reason why I favor the administration trade expansion proposals now being considered in the Senate. Another valid reason is that 600,000 jobs in industries in the State of Ohio depend upon export industries in my State; and with the trade expansion bill enacted into law, I am certain that this figure will be greatly increased.

Americans may not realize it, but when an average family sits down to the evening meal there is a good chance that some of the food came halfway around the world to the dinner table. More than one-fourth of all imports from

foreign nations are agricultural products. The United States imported \$3,600 million worth of such products last year, or \$20 worth of food, tobacco, rubber, and fibers for each American. Surely, most breakfasts would be no breakfast at all for millions of people except for coffee. We Americans import half of the world's production of coffee. We import bananas from Ecuador, out-of-season tomatoes from Mexico, olive oil from Spain and Italy, cocoa beans from Nigeria and Ghana. These are but a few of many items. Then, 40 percent of our sugar supply comes mainly from the Philippines, and Latin American countries. A long list of products from countries around the globe—wool, cotton, crude rubber, fruits and vegetables—could be named, which help to make the meals of Americans more appetizing, and their homes more attractive. When the trade expansion program becomes law our exports—products from American farms and factories—will climb skyward and our imports will do likewise. International trade is a two-way road.

When a high-tariff wall was built around our country by the Congress in 1928 and 1929 this Nation suffered the most severe economic depression, unemployment, and hunger that Americans have ever experienced. At one time 13 million worthy and industrious men and women in our country were walking the streets, jobless, largely because a high-tariff wall had been built around our country by the protectionists of that time. The farmers in my State were not making enough money to pay the interest on their mortgages and taxes. In some places farmers gathered together on bowling greens and townhall steps, threatening the orderly processes of law. They could not pay the interest on their mortgages. They could not pay their taxes. I recall distinctly that crowds gathered on courthouse steps in Ohio and elsewhere threatening judges who were hearing farm foreclosure cases. Farmers at that time had about as much economic security as a European serf. Farmers are the bone and sinew of America, and today they are again in dire economic circumstances. This bill will help to keep open existing overseas markets for our farm products and eventually open new ones.

On March 4 of 1933, when I first entered the other body as a Representative at Large from my State, banks in 48 States were closed and businessmen did not know whether checks in their pockets were any good, largely as a result of the building of the huge tariff wall around our country. The entire financial structure of our Nation had collapsed.

Yesterday we marked the 100th anniversary of the terrible battle of Antietam Creek, or Sharpsburg, as southerners know it. On that day more men from both the Union and Confederate forces were lost in battle than on any other day in our terrible Civil War, or War Between the States. Yet, the financial structure of our country was never so menaced, during the Civil War, or at any

time thereafter as it was on the dark day when Franklin D. Roosevelt first took his oath of office. It was in great part the result of the high tariff wall, which shut out the products of other nations and prevented our farmers and businessmen from selling abroad the products of their farms and factories.

Patrick Henry said:

I have but one lamp by which my feet are guided, and that is the lamp of experience. I know no way of judging of the future but by the past.

Guiding our footsteps by the light of experience, we should encourage trade with the European Common Market, and other countries of the Old World. They will lower their tariff walls, and we shall lower ours in reciprocity. The standard of living everywhere will be higher. One great reason for our present high standard of living is due entirely to the fact that the Founding Fathers—those wise men, those great patriots who founded our Nation and wrote the Constitution—provided for free trade between all the States and territories of our Union.

I intend to vote against every crippling amendment that is offered to the trade expansion bill of the administration, and I shall gladly support the passage of the bill. It will be for the welfare of this Nation and of all its people.

SENATE AMENDMENTS TO H.R. 10

Mr. GORE. Mr. President, when H.R. 10 was under consideration by the Senate, four amendments were adopted on the floor of the Senate. One of these amendments was offered by the able junior Senator from Louisiana [Mr. LONG], one by the distinguished junior Senator from Minnesota [Mr. McCARTHY], and two by the junior Senator from Tennessee.

Much misinformation has been spread over the country about these amendments. As a result of this and other stimulation, Congress has received a flood of telegrams and letters. Many of the letters I have received have arrived without an ordinary stamp which an average employee would use but rather with the mark of a corporation postage metering machine.

I want to make one thing unmistakably clear. No additional tax would be levied on the pension annuity of anyone, whether large or small, by any provision contained in the bill or by any amendments added thereto. Despite this, the amendments have been described by a widespread propaganda campaign as a tax on pensions.

The amendments which I offered and which the Senate adopted are designed to curb abuses of existing law with respect to pension fund accumulations. The amendments have hit the mark, too.

Abuses of existing law are widespread. Some of the most widespread abuses are found in manipulation of so-called pension funds by which large, and often multiple, pension funds are accumulated through tax-free money on behalf of a corporation officer or employee and

distributed in lump-sum settlements at only the capital gains tax rates.

The Treasury Department advised the Senate Finance Committee of instances in which sums exceeding \$800,000 have been built up and paid out in lump sums to one individual, with the corporate official being taxed at a capital gains rate of only 25 percent. This type of transaction, in reality, is a mockery of the concept of retirement security through assurance of adequate annuities. Moreover, it bears no resemblance to a capital transaction. It is, in fact, a device by which ordinary income, subject to the normal tax rate is converted to a so-called capital gain subject to capital gains rates with a maximum tax of 25 percent. My amendment would put a stop to such abuses by corporation officials, but would not affect the employee who receives an annuity from a pension fund or retirement fund to supplement his social security or other income. Only in exceptional cases would the ordinary employee be affected since pension benefits are generally drawn in the form of an annuity rather than a lump-sum payment.

But even in case of lump-sum payments, the amendment provides generously, I think. Instead of full normal tax, the amendment permits a 5-year averaging which would require less taxes on many average employees than present law would require. On large lump-sum payments, on the other hand, a larger and, I think, a more equitable taxpayment would be required.

Another amendment which I offered and which was adopted by the Senate would place a limitation on the amount of tax deduction which a corporation could receive under the law for contribution to the pension fund of any one officer or employee. These limitations are quite generous, amounting to \$5,000 or 10 percent of the employee's salary each year, whichever is the lesser, with an overall lifetime limit of \$250,000.

Mr. President, this limitation has been criticized by some as being too large and by others as being too small. The present law contains no limit at all. I think some limitation is needed, and I suggest that the limitations which the Senate adopted are generous indeed.

Mr. President, if these amendments serve only to cause the Congress and the American people to give careful consideration to this rapidly growing pattern of abuse through manipulation of so-called pension funds, then they will have served a very useful purpose. This pattern of abuse, coupled with other loopholes in the tax law, constitute a serious attack upon the very principle of a system of progressive taxation upon which the very preservation of economic democracy and social justice depend.

PLANNED MIGRATION OF "NON-VIOLENT UNITS" TO SOUTH

Mr. STENNIS. Mr. President, the tensions and suffering endured for many weeks by the people in the fine little city

of Albany, Ga., continue. In a large measure, these conditions have been promoted and agitated by outsiders.

Last year the people of Jackson, Miss., suffered—with commendable fortitude, let me emphasize—from the activities of wave after wave of outsiders who called themselves freedom riders. While they came into our State with songs and prayers of peace, their conduct promoted and aroused only anger and resentment. In reality their purpose was to violate the laws of the State of Mississippi. Even now, the courts are congested with pending cases arising from these invaders.

Now, Mississippi may be a scene of great tension this week as a result of the application filed by a Negro for admission to the university. The Governor of Mississippi, the Honorable Ross R. Barnett, has said that in this contest no violence will be tolerated. The Governor and the people of Mississippi rightfully propose to resist by all lawful and constitutional means this unwarranted encroachment and invasion of the authority of the State of Mississippi regarding our State educational institutions.

The foregoing is factual background for my references now to the announced plans of a group from New York, Chicago, and Washington who propose to have "nonviolent units" of individuals stand by as "ready reserves" to go on "prayer pilgrimages" to any place of integration trouble spot in the South. I quote from the news item appearing in the New York Times for September 16:

Volunteers in several cities are pledged to go at a moment's notice on prayer pilgrimages to integration trouble spots in the South. They are prepared to spend time in jail for demonstrating against racial discrimination.

Pilgrimage organizers have called five rallies at churches in Manhattan, Brooklyn, Queens and Mount Vernon this week to sign up volunteers. Similar recruiting was reported by integrationists in Hartford, New Haven, Cleveland, Chicago and Washington.

Mr. President, no nation in the world except the United States would permit, much less encourage, the migration of hordes of outsiders to places of tension and trouble, for the sole purpose of further increasing those tensions, thereby destroying all chance for possible settlement or continued peace.

I appeal to all those Federal authorities, either now or hereafter connected in any way with the pending matter at the University of Mississippi to discourage—and, if necessary, to prevent—such migrations of outside troublemakers to places of tension.

I express the fervent hope, Mr. President, that people of good will throughout the Nation will actively discourage the migration of such so-called nonviolent units of individuals to trouble spots in any State. The Governor and the people of Mississippi, or of any State, should not be held responsible for any disorder resulting from such invaders who come in to further agitate troubled relations which are already greatly strained.

I can assure the people of the Nation that the people of Mississippi are acting with the utmost good faith and sincerity and that they will continue to do so. I trust that outside groups will not be permitted, much less encouraged, to increase this burden.

TRADE EXPANSION ACT OF 1962

The Senate resumed the consideration of the bill (H.R. 11970) to promote the general welfare, foreign policy, and security of the United States through international trade agreements and through adjustment assistance to domestic industry, agriculture, and labor, and for other purposes.

The PRESIDING OFFICER (Mr. Young of Ohio in the chair). The first committee amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 2, line 3, after the word "mutual" it is proposed to insert the word "trade."

Mr. WILLIAMS of Delaware. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent that further proceedings under the quorum call may be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of Virginia. Mr. President, the Finance Committee has reported H.R. 11970, the Trade Expansion Act of 1962. This bill would continue in a greatly expanded form the trade agreement program which began in 1934.

I recall that I was new in the Senate at that time and that the proposed trade program made a great impression on me. The first speech I made in the Senate was in support of the program. However, a close examination of the new concept of reciprocal trade agreements envisioned in the bill before us is not that of Cordell Hull, the one originally designated the "father of the program."

Before discussing the bill I should like to say a word of appreciation for the long hours and efficient work of the staff of the committee and the office of the legislative counsel for getting this intricate bill and report ready on such short notice.

The bill would extend the authority of the President for 5 years from June 30, 1962, to June 30, 1967, to enter into new trade agreements.

It would permit the President to reduce all tariffs by 50 percent and to reduce a great many rates by more than 50 percent or to remove them entirely.

The bill does not contain the requirement in the present law that the Tariff Commission must report confidential peril points to the President. However, it does require the President to submit a list of items upon which he intends to negotiate and the Tariff Commission to make a study of the effect of tariff cuts on the industries concerned.

The bill sets up a plan for the appointment by the President of a chief nego-

tiator to have complete charge of the trade negotiations for the United States. He is to be confirmed by the Senate and shall have ambassadorial rank. The committee amended the bill to provide that the chief negotiator shall be Chairman of the Interagency Trade Organization, a Cabinet level committee which, under the House bill was to have as its chairman a member of the Cabinet.

The bill, as amended, gives very broad authority to the President to raise duties, impose quotas, or take other action when he finds it to be in the national interest. This would arm the President and the chief negotiator with wide powers to use trade restrictions when necessary or advisable to induce foreign countries to remove burdensome or unreasonable restrictions on our exports.

The bill provides that most-favored-nation treatment shall not be extended to Russia, Communist China, or areas dominated by them, but a committee amendment would allow the President to extend that treatment to Yugoslavia and Poland. Under the House version the President could not have done this.

The bill contains an escape clause and the Finance Committee amended it to provide that industries need only prove that imports as a result of trade concessions are the major cause of the injury. Under the House bill it might have been interpreted that imports or the concession be the sole cause of the injury. The committee also added "a reasonable profit level" as a part of the criteria to be considered.

The bill reserves from new negotiating lists for 5 years the items which have been affected by Presidential action under the escape clause or the national security provisions of present law. The same applies in cases where the Tariff Commission has made recommendations for adjustment under the escape clause. The House bill reserved these items for 4 years.

The bill was amended to provide that the President may enter into orderly marketing agreements with foreign countries limiting the export to the United States of industrial as well as agricultural articles.

The bill contains a provision for adjustment assistance to industries, firms, or workers seriously injured by concessions granted in trade agreements. The procedure is involved and difficult but may be invoked by individual firms or groups of workers. The committee amended the bill to provide that the entire cost of adjustment assistance shall be paid by the Federal Government. The House bill provided that the Federal payment should only be for amounts in excess of those available under State law.

The Finance Committee adopted a number of amendments, most of which were technical, suggested by the administration and by the Tariff Commission.

The bill does away with the peril points although it does contain a form of escape clause. It seems to me that the peril point procedure has been well tested and that it has in no way hampered the operation of the trade

agreement program. In the past it has been voted upon and approved wholeheartedly by many proponents of the program.

However, the part of the bill that gives me the greatest difficulty is that which, by its very existence, is a mandate to the President to deliberately take action that seems sure to result in serious injury to a domestic industry or segment of agriculture. This is the one that provides so-called adjustment assistance to industries, firms, or workers seriously injured by imports following excessive tariff cuts.

I do not want to be misunderstood. I am certainly not against properly administered State unemployment compensation programs. What this part of the bill does is to discriminate against those who are unemployed as a result of normal economic dislocations. Through the provisions of the bill a man may get assistance for far longer periods than allowed by any State program and far more in his weekly allowance. Whereas the normal State law may assist the unemployed for 25 to 30 weeks at a maximum rate of \$35 to \$40 a week, H.R. 11970 would allow a maximum period of over a year, at a rate amounting to as much as \$61 per week. Furthermore, the bill sets the camel's head and shoulders in the tent of federalized unemployment compensation. The proponents of the measure may try to rationalize away from this point of view, but the facts are eminently clear. The States would still pay the compensation, but the Federal Government would foot the bill by repayment to the States.

In spite of the weaknesses of the bill before us I must support the continuance of the trade agreement program without interruption. The reasons why it must be continued are overwhelming. The statement of purposes in the bill include this phrase, "to strengthen economic relations with foreign countries" and if economic relations are strengthened then the unity of the free world is also strengthened.

A number of influences have affected international trade and the world economy since 1958 when the present trade agreement law was enacted. The rapid strides toward economic and possible political unity in the European Economic Community and the serious efforts of others of our allies to overcome the very difficult obstacles to a union with that Community can only have a marked effect on the established outline of world trade.

U.S. exports are relatively small in comparison with our gross national product, yet international trade in our expanding economy is of vital concern to our national well-being. The United States continues to compete in all markets of the world, as evidenced by our growing exports, but our own dynamic economy is being approached by the rapid expansion of efficient and aggressive production and sales methods abroad. This expansion, along with the formation of free-trade groups in other parts of the free world, can and should provide an impetus to greater and more profitable international trade.

But our allies are also our competitors in world markets and if the United States is to cope with the problems arising from the rearrangement of trading patterns, the Congress must provide adequate machinery.

The problems of agriculture, industry, and labor will not be solved by the passage of this legislation. They would be much greater, however, if the economy was allowed to stagnate or if the rapid developments abroad found the United States unready or unwilling to join in the forward movement. Inactivity could only delay the inevitable facing up to the situation.

On the other hand the expansion of agriculture, industry and employment abroad will continue to increase the purchasing power in most areas with a resultant expansion in the demand for the goods of other nations. These new and growing markets will rapidly be supplied with the commodities from other sources unless the United States shows an interest in them and makes positive efforts to expand and maintain its trade.

It was the careful consideration of all these factors that influenced my final and difficult decision to vote for the bill H.R. 11970 in committee. My reservations about some features of it are very strong and when the vote to report the bill was taken I indicated that I may be forced to oppose those features on the floor.

This I shall do, but, as I have pointed out, it is of utmost importance that we pass a trade bill at this session. I know that the Members of the Senate will give it their earnest consideration.

Mr. President I ask unanimous consent that the committee amendments be agreed to en bloc.

The PRESIDING OFFICER. Without objection, the committee amendments are agreed to en bloc, and the bill, as amended, will be treated as original text for purpose of amendment.

The amendments agreed to en bloc are as follows:

On page 2, line 3, after the word "mutual", to insert "trade"; in line 7, after the word "commerce", to insert "and"; in line 10, after the word "free", to strike out "world;" and insert "world.": after line 10, to strike out:

"(3) to assist in the progress of countries in the earlier stages of economic development; and".

After line 12, to strike out:

"(4) to prevent Communist economic penetration."

On page 4, in the heading, at the beginning of line 2, to strike out "European Economic Community" and insert "Free European Trading Community".

On page 4, line 5, after the word "the", where it appears the second time, to strike out "European Economic Community" and insert "Free European Trading Community"; in line 10, after the word "the", to strike out "European Economic Community" and insert "Free European Trading Community"; on page 5, at the beginning of line 13, to strike out "European Economic Community" and insert "Free European Trading Community"; on page 6, line 4, after the word "the", to strike out "European Economic Community" and insert "Free European Trading Community"; in line 10, after the word "section", where it appears the first time, to strike out "231 or" and insert "231"; in line 11, after the numerals "1951", to

insert "or under section 401(a) of the Tariff Classification Act of 1962"; in line 23, after the word "the", where it appears the second time, to strike out "European Economic Community" and insert "Free European Trading Community".

On page 7, line 6, after the word "the", where it appears the second time, to strike out "European Economic Community" and insert "Free European Trading Community".

On page 7, line 23, after the figure "(3)", to strike out "the European Economic Community has made a commitment with respect to duties or other import restrictions which is likely to assure access for such article to the markets of the European Economic Community", and insert "the European Economic Community, and any country (not within the European Economic Community) which is included within the Free European Trading Community, have made commitments with respect to duties or other import restrictions which are likely to assure access for such article to the markets of the Free European Trading Community".

On page 10, line 2, after the word "articles", to insert a comma and "so as to assist the President in making an informal judgment as to the impact that might be caused by such modifications on United States industry, agriculture, and labor"; in line 5, after the amendment just above stated, to strike out "In the course of preparing such advice, the Tariff Commission shall, after reasonable notice, hold public hearings."; after line 7, to insert:

"(c) In preparing its advice to the President, the Tariff Commission shall, to the extent practicable—

"(1) investigate conditions, causes, and effects relating to competition between the foreign industries producing the articles in question and the domestic industries producing the like or directly competitive articles;

"(2) analyze the production, trade, and consumption of each like or directly competitive article, taking into consideration employment, profit levels, and use of productive facilities with respect to the domestic industries concerned, and such other economic factors in such industries as it considers relevant, including prices, wages, sales, inventories, patterns of demand, capital investment, obsolescence of equipment, and diversification of production;

"(3) describe the probable nature and extent of any significant change in employment, profit levels, use of productive facilities and such other conditions as it deems relevant in the domestic industries concerned which it believes such modifications would cause; and

"(4) make special studies, whenever deemed to be warranted, of particular proposed modifications affecting United States industry, agriculture, and labor.

"(d) In preparing its advice to the President, the Tariff Commission shall, after reasonable notice, hold public hearings."

On page 12, line 19, after the word "Section", to strike out "232 or 351," and insert "232, 351, or 352".

On page 13, line 6, after the word "the", to strike out "4-year" and insert "5-year".

On page 15, line 2, after the word "of", to strike out "any country or area dominated or controlled by Communism" and insert "the Union of Soviet Socialist Republics, Communist China, and any other country or area dominated or controlled by the foreign government or foreign organization controlling the world Communist movement."

On page 17, line 21, after the word "each", to insert "general multilateral"; in line 24, after the word "United", to strike out "States." and insert "States, and who shall be the chairman of the organization established pursuant to section 242(a)."; on page

18, line 5, after the word "mission," to insert "and"; line 6, after the word "plenipotentiary", to strike out the comma and "and shall be an ex-officio member of the organization established pursuant to section 242 (a)"; in line 13, after the word "agencies", to strike out "of the United States".

On page 18, line 18, after the word "and", to strike out "chapter 4 of title III" and insert "sections 351 and 352"; in line 19, after the word "shall", to strike out "have as its chairman a Cabinet officer selected by the President, and shall," and insert "in addition to the Special Representative for Trade negotiations"; in line 23, after the word "meet", to strike out "periodically"; on page 19, line 13, after the word "concerning", to strike out "unjustifiable"; in line 14, after the word "section", to strike out "252(c)" and insert "252(d)"; on page 20, line 1, after the word "section", to strike out "252(c)" and insert "252(d)".

On page 20, line 16, after the word "title", to insert a comma and "in section 350(b) of the Tariff Act of 1930, or in section 401(a) of the Tariff Classification Act of 1962".

On page 20, line 24, after the word "Whenever", to strike out "unjustifiable"; on page 21, line 1, after the word "States", to insert "unjustifiably"; in line 5, after the word "restrictions", to strike out "and"; in line 9, after the word "such", to strike out "restrictions." and insert "restrictions, and

"(3) notwithstanding any other provision of law or any provision of any trade agreement, impose duties or other import restrictions on the products of any foreign country or instrumentality establishing or maintaining such foreign import restrictions against United States agricultural products, to the extent he deems such duties and other import restrictions necessary to prevent the establishment or obtain the removal of such foreign import restrictions and to provide access for United States agricultural products to the markets of such country or instrumentality on an equitable basis."; in line 25, after the word "including", to strike out "unlimited"; on page 22, line 9, after the word "trade", to strike out "agreements" and insert "agreement".

On page 22, after line 13, to insert a new subparagraph, as follows:

"(c) Whenever a foreign country or instrumentality, the products of which receive benefits of trade agreement concessions made by the United States, maintains unreasonable import restrictions which either directly or indirectly substantially burden United States commerce, the President may, to the extent that such action is consistent with the purposes of section 102, and having due regard for the international obligations of the United States—

"(1) suspend, withdraw, or prevent the application of benefits of trade agreement concessions to products of such country or instrumentality, or

"(2) refrain from proclaiming benefits of trade agreement concessions to carry out a trade agreement with such country or instrumentality."

On page 23, at the beginning of line 3, to strike out "(c)" and insert "(d)"; in line 4, after the word "concerning", to strike out "unjustifiable"; in line 5, after the word "restrictions", to insert "which are referred to in subsections (a), (b), and (c) and are".

On page 25, after line 16, to strike out:

"(1) The term 'European Economic Community' means the instrumentality known by such name or any successor thereto.

"(2) The countries of the European Economic Community as of any date shall be those countries which on such date are agreed to achieve a common external tariff through the European Economic Community.

"(3) The term 'agreement' with the European Economic Community means an agreement to which the United States and all

countries of the European Economic Community (determined as of the date such agreement is entered into) are parties. For purposes of the preceding sentence, each country for which the European Economic Community signs an agreement shall be treated as a party to such agreement."

And, in lieu thereof, to insert:

"(1) The term 'Free European Trading Community' means (A) the European Economic Community and (B) any country, designated by the President, which is a member of the European Free Trade Association.

"(2) The term 'European Economic Community' means the instrumentality known by such name or any successor thereto. The countries of the European Economic Community as of any date shall be those countries which on such date are agreed to achieve a common external tariff through the European Economic Community.

"(3) The term 'European Free Trade Association' means the organization known by such name or any successor thereto. The countries of the European Free Trade Association as of any date shall be those countries which are full members of the Association on such date.

"(4) The term 'agreement with the Free European Trading Community' means an agreement to which the United States and all countries of the Free European Trading Community (determined as of the date such agreement is entered into) are parties. Each such country for which the European Economic Community signs an agreement shall, for the purposes of this paragraph, be treated as a party to such agreement."

On page 27, at the beginning of line 7, to strike out "(4)" and insert "(5)"; at the beginning of line 3, to strike out "(7)" and insert "(6)"; at the beginning of line 20, to strike out "(6)" and insert "(7)"; in line 24, after the word "into", to insert a comma and "and when referring to a rate of duty, refers to the rate of duty (however established, and even though temporarily suspended by Act of Congress or otherwise) existing on such date."; on page 28, at the beginning of line 3, to strike out "(7)" and insert "(8)".

On page 30, after line 24, to insert:

"(g) (1) Section 102(1) of the Tariff Classification Act of 1962 is amended by striking out 'of schedules 1 to 7, inclusive,'.

"(2) Section 203 of the Tariff Classification Act of 1962 is amended to read as follows:

"Sec. 203. For purposes of applying section 350 of the Tariff Act of 1930, as amended, and the Trade Expansion Act of 1962 with respect to the Tariff Schedules of the United States—

"(1) The rate of duty in rate column numbered 2 for each item in schedules 1 to 7, inclusive, of the Tariff Schedules of the United States, shall be treated as the rate of duty existing on July 1, 1934.

"(2) The lowest preferential or non-preferential rate of duty in rate column numbered 1 for each item in schedules 1 to 7, inclusive, of the Tariff Schedules of the United States on the effective date provided for in section 501(a) of this Act shall be treated as the preferential or nonpreferential rate of duty, respectively, existing on July 1, 1962; except that with respect to any article the rate for which in schedules 1 to 7 has been changed by Presidential proclamation after June 30, 1962, the rate to be regarded as existing on July 1, 1962, shall be the rate which the Commission specifically declares, in a supplemental report made pursuant to section 101(c) of this Act, to be the rate which, in its judgment, conforms to the fullest extent practicable to the rate regarded as existing on July 1, 1962, under section 256(5) of the Trade Expansion Act of 1962.

"(3) Legislation entering into force after the effective date provided for in section 501(a) of this Act which results in the permanent reclassification of any article without specifying the rate of duty applicable thereto, and proclamations under section 202(c) of this Act, shall be considered as having been in effect since June 30, 1962."

"(h) Nothing contained in this Act shall be construed to affect in any way the provisions of section 22 of the Agricultural Adjustment Act, or to apply to any import restriction heretofore or hereafter imposed under such section."

On page 32, after line 14, to insert:

"SEC. 258. REFERENCES.

"All provisions of law (other than this Act and the Trade Agreements Extension Act of 1951) in effect June 30, 1962, referring to section 350 of the Tariff Act of 1930, to that section as amended, to the Act entitled "An Act to amend the Tariff Act of 1930", approved June 12, 1934, to that Act as amended, or to agreements entered into, or proclamations issued, under any of such provisions, shall be construed, unless clearly precluded by the context, to refer also to this Act, or to agreements entered into or proclamations issued, pursuant to this Act."

On page 33, after line 8, to strike out:

"(a) (1) Petitions for tariff adjustments under section 351 or for determinations of eligibility to apply for adjustment assistance under chapter 2 or 3 may be filed with the Tariff Commission by firms, groups of workers, or industries. In the case of a firm, such petition may be filed by the firm or its representative. In the case of a group of workers, such petition may be filed by the workers or by their certified or recognized union or other duly authorized representative. In the case of an industry, such petition may be filed by a trade association, firm, certified or recognized union, or other representative."

And in lieu thereof, to insert:

"(a) (1) A petition for tariff adjustment under section 351 may be filed with the Tariff Commission by a trade association, firm, certified or recognized union, or other representative of an industry.

(2) A petition for a determination of eligibility to apply for adjustment assistance under chapter 2 may be filed with the Tariff Commission by a firm or its representative, and a petition for a determination of eligibility to apply for adjustment assistance under chapter 3 may be filed with the Tariff Commission by a group of workers or by their certified or recognized union or other duly authorized representative."

On page 34, line 8, to change the subsection number from "(2)" to "(3)".

On page 34, line 17, after the word "result", to insert "in major part".

On page 35, line 2, after the word "a", to insert "level of reasonable".

On page 35, after line 3, to insert:

"(3) For purposes of paragraph (1), increased imports shall be considered to cause, or threaten to cause, serious injury to the domestic industry concerned when the Tariff Commission finds that such increased imports have been the major factor in causing, or threatening to cause, such injury."

On page 35, line 9, to change the subsection number from "(3)" to "(4)".

On page 35, line 17, after the word "Commission", to strike out "shall, in addition to making an industry determination under subsection (b)," and insert "shall promptly make an investigation to"; in line 20, after the word "result", to insert "in major part", and on page 36, line 3, after the word "a", to insert "level of reasonable".

On page 36, line 8, after the word "Commission", to strike out "shall, in addition to making an industry determination under subsection (b)," and insert "shall promptly

make an investigation to"; in line 11, after the word "result", to insert "in major part".

On page 36, after line 18, to insert:

"(3) For purposes of paragraphs (1) and (2), increased imports shall be considered to cause, or threaten to cause, serious injury to a firm or unemployment or underemployment, as the case may be, when the Tariff Commission finds that such increased imports have been the major factor in causing, or threatening to cause, such injury or unemployment or underemployment."

At the top of page 37, to strike out:

"(3) The Tariff Commission may provide that, during a period beginning not earlier than 30 days after the publication of notice of hearings with respect to an industry and ending not later than the date of the report of the Tariff Commission with respect thereto under subsection (f) (2), no petition may be filed under subsection (a) (1) by a firm or group of workers in such industry with respect to the same imported article and the same domestic article."

On page 37, line 9, after "(d)", to insert "(1)"; in the same line, after the word "under", to strike out "this section" and insert "subsection (b) (1)".

On page 37, after line 13, to insert:

"(2) In the course of any investigation under subsection (c) (1) or (c) (2), the Tariff Commission shall, after reasonable notice, hold public hearings if requested by the petitioner, or if, within 10 days after notice of the filing of the petition, a hearing is requested by any other party showing a proper interest in the subject matter of the investigation, and shall afford such parties an opportunity to be present, to produce evidence, and to be heard at such hearings."

On page 38, line 12, after the word "than", to strike out "120 days" and insert "6 months"; in line 15, after the word "be", to strike out the comma and "unless the President extends such time for an additional period, which shall not exceed 30 days".

At the top of page 39, to insert:

"(g) Except as provided in section 257 (e) (3), no petition shall be filed under subsection (a), and no request, resolution, or motion shall be made under subsection (b), prior to the close of the 60th day after the date of the enactment of this Act."

On page 39, line 12, after the numerals "351", to insert "or 352".

On page 59, after line 15, to strike out:

"(c) (1) The amount payable to an adversely affected worker under subsection (a) for any week shall be reduced by any amount of unemployment insurance to which he is entitled with respect to such week (or would be entitled but for this chapter or any action taken by such worker under this chapter), whether or not he has filed a claim for such insurance."

On page 59, at the beginning of line 23, to strike out "(2) The amount payable to an adversely affected worker under subsection (b)" and insert "The amount of trade readjustment allowance payable to an adversely affected worker under subsection (a) or (b)".

On page 60, line 11, after the word "is", to strike out "payable" and insert "paid"; in line 21, after the word "allowance", to strike out "payable" and insert "paid".

On page 61, after line 14, to strike out:

"(g) If unemployment insurance is paid under a State law to an adversely affected worker for a week during which he is undergoing training approved by the Secretary of Labor, the State agency making such payment shall be reimbursed from funds appropriated pursuant to section 337, to the extent that such payment does not exceed the trade readjustment allowance which such worker would have received if he had applied for such allowance and had not

received the State payment. The amount of such reimbursement shall be determined by the Secretary of Labor on the basis of reports furnished to him by the State agency and such amount shall then be placed in the Unemployment Trust Fund to the credit of the State's account."

And, in lieu thereof, to insert:

"(g) (1) If unemployment insurance is paid under a State law to an adversely affected worker for a week for which—

"(A) he receives a trade readjustment allowance, or

"(B) he makes application for a trade readjustment allowance and would be entitled (determined without regard to subsection (c) or (e)) to receive such allowance,

the State agency making such payment shall, unless it has been reimbursed for such payment under other Federal law, be reimbursed from funds appropriated pursuant to section 337, to the extent such payment does not exceed the amount of the trade readjustment allowance which such worker would have received, or would have been entitled to receive, as the case may be, if he had not received the State payment. The amount of such reimbursement shall be determined by the Secretary of Labor on the basis of reports furnished to him by the State agency.

"(2) In any case in which a State agency is reimbursed under paragraph (1) for payments of unemployment insurance made to an adversely affected worker, such payments, and the period of unemployment of such worker for which such payments were made, may be disregarded under the State law (and for purposes of applying section 3303 of the Internal Revenue Code of 1954) in determining whether or not an employer is entitled to a reduced rate of contributions permitted by the State law, but only if, under the State law, such payments and such period are disregarded in determining such worker's eligibility for unemployment insurance under the State law upon the termination of such worker's eligibility to receive trade readjustment allowances as determined under section 324."

On page 69, line 13, after the numerals "331", to insert "(1)"; in line 15, after the word "chapter", to insert a comma and "and (2) the sums reimbursable to a State pursuant to section 323 (g)."; in line 20, after the word "chapter.", to insert "Sums reimbursable to a State pursuant to section 323 (g) shall be credited to the account of such State in the Unemployment Trust Fund and shall be used only for the payment of cash benefits to individuals with respect to their unemployment, exclusive of expenses of administration."

On page 79, at the beginning of line 3, to insert "or, if the article is dutiable but no rate existed on that date, the rate existing at the time of the proclamation,"; in line 9, after the word "paragraph", to strike out "(5)" and insert "(6)"; in line 23, after the word "is", to strike out "4 years" and insert "5 years"; on page 80, line 5, after the word "of", to strike out "4 years" and insert "5 years"; in line 16, after the word "make", to strike out "periodic" and insert "annual"; in line 18, after the word "President", to insert "or upon its own motion"; on page 81, line 5, after the word "the", where it appears the second time, to strike out "4-year" and insert "5-year".

On page 82, after line 3, to insert a new section, as follows:

"SEC. 352. ORDERLY MARKETING AGREEMENTS.

"(a) After receiving an affirmative finding of the Tariff Commission under section 301 (b) with respect to an industry, the President may, in lieu of exercising the authority contained in section 351(a) (1) but subject to the provisions of sections 351(a) (2), (3), and (4), negotiate international agree-

ments with foreign countries limiting the export from such countries and the import into the United States of the article causing or threatening to cause serious injury to such industry, whenever he determines that such action would be more appropriate to prevent or remedy serious injury to such industry than action under section 351(a) (1).

"(b) In order to carry out an agreement concluded under subsection (a), the President is authorized to issue regulations governing the entry or withdrawal from warehouse of the article covered by such agreement. In addition, in order to carry out a multilateral agreement concluded under subsection (a) among countries accounting for a significant part of world trade in the article covered by such agreement, the President is also authorized to issue regulations governing the entry or withdrawal from warehouse of the like article which is the product of countries not parties to such agreement."

At the top of page 83, to insert a new section, as follows:

"SEC. 353. ADDITIONAL AUTHORITY TO INCREASE TARIFFS AND IMPOSE QUOTAS.

"Notwithstanding any other provision of law, the President may, when he finds it in the national interest, proclaim with respect to any article imported into the United States—

"(1) the increase of any existing duty on such article to such rate as he finds necessary,

"(2) the imposition of a duty on such article (if it is not otherwise subject to duty) at such rate as he finds necessary, and

"(3) the imposition of such other import restrictions as he finds necessary."

On page 84, line 14, after "U.S.C.", to strike out "582" and insert "583".

On page 88, line 9, after the word "country", to insert "or area"; and in line 11, after the word "country", to insert "or area".

Mr. BYRD of Virginia. Mr. President, I ask unanimous consent that Mr. Paul Kaplowitz, of the Tariff Commission, be granted permission to be on the floor of the Senate during the consideration of the pending bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill is open to amendment.

Mr. DIRKSEN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONSIDERATION OF CERTAIN MEASURES ON THE CALENDAR

Mr. MANSFIELD. Mr. President, pending the arrival of more Senators, I should like to have the Senate proceed to the consideration of measures on the calendar to which there is no objection. The measures to be considered have been cleared with the leadership on both sides of the aisle.

Mr. President, I ask unanimous consent that the pending business be temporarily laid aside and that the Senate proceed to the consideration of measures on the calendar to which there is no objection, beginning with Calendar No.

1983, and that the trade bill be again made the pending business following the call of the calendar.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed at the appropriate place in the RECORD an explanation of each bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

TOWNSITE LAWS APPLICABLE IN STATE OF ALASKA

The Senate proceeded to consider the bill (S. 3160) to amend the act of March 8, 1922, as amended, to extend its provisions to the townsite laws applicable in the State of Alaska, which had been reported from the Committee on Interior and Insular Affairs with amendments, on page 1, after the enacting clause, to strike out "That section 3 of the Act of March 8, 1922 (42 Stat. 415; 48 U.S.C. 376, 377, 377a), is amended to read as follows:" and insert "That section 3 of the Act of March 8, 1922 (42 Stat. 415), as amended (75 Stat. 384; 48 U.S.C. 376, 377, 377a), is further amended to read as follows:"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the Act of March 8, 1922 (42 Stat. 415), as amended (75 Stat. 384; 48 U.S.C. 376, 377, 377a), is further amended to read as follows:

"Sec. 3. The Secretary of the Interior may (a) sell under the provisions of section 2455 of the Revised Statutes (43 U.S.C. 1171), as amended, or (b) make disposition under the following townsite laws, as amended: Sections 2380 and 2381 of the Revised Statutes (43 U.S.C. 711, 712); section 11 of the Act of March 3, 1891 (26 Stat. 1009; 48 U.S.C. 355); Act of May 25, 1926 (44 Stat. 629; 48 U.S.C. 355a-355d); and Act of March 12, 1914 (38 Stat. 305; 48 U.S.C. 301, 302, 303-308), of any lands in Alaska known to contain workable coal, oil or gas deposits, or that may be valuable for the coal, oil or gas contained therein, and which are otherwise subject to sale or disposition under said section 2455, as amended, or the said townsite laws, as amended, upon the condition that the patent issued to the purchaser thereof shall contain the reservation required by section 2 of this Act."

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 2022), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

Enactment of S. 3160 will eliminate a difference between the law governing the disposition of public lands under the townsite laws in Alaska and that governing the rest of the public land States by permitting tracts in Alaska to be sold subject to a reservation to the United States of coal, oil, and gas.

NEED

Provision is made in several townsite laws for the sale of public lands in Alaska. Under

basic general law (Rev. Stat. 2318; 30 U.S.C. 21), however, lands valuable for minerals are reserved from sale unless expressly authorized by law to be sold. The act of July 17, 1914 (30 U.S.C. 121-123), which authorizes the disposition of public lands valuable for oil, gas, and certain other minerals, with the reservation to the United States of the minerals involved, is not applicable to Alaska. Accordingly, there can be no sales under the townsite laws in that State of lands which are deemed valuable for minerals even if the sale is made subject to a mineral reservation.

The act of March 8, 1922 (48 U.S.C. 376-377a), permits certain entries on, and sales of, public land in Alaska valuable for coal, oil, and gas provided reservation is made to the United States of the coal, oil, and gas.

S. 3160 would amend the 1922 act to permit the disposition of lands under the townsite laws in Alaska subject to the same reservation. It is anticipated that this will facilitate disposition of public lands in Alaska as well as the orderly development of the new State while protecting the public interest through a reservation of rights to coal, oil, and gas.

AMENDMENT

The committee amendment is a technical one, solely for the purpose of more precisely stating the citation of the act being amended.

COST

No increase in budgetary requirements is involved in S. 3160.

PRACTICES IN CONNECTION WITH PLACING OF MINOR CHILDREN FOR PERMANENT FREE CARE OR FOR ADOPTION

The Senate proceeded to consider the bill (S. 654) to amend title 18, United States Code, to make unlawful certain practices in connection with the placing of minor children for permanent free care or for adoption which had been reported from the Committee on the Judiciary, with amendments, on page 2, line 10, after the word "interstate", to insert "or foreign"; after line 12, to strike out:

"(b) The provisions of this section shall not apply in the case of money received or paid to a child care or adoption agency in any State, either public or private, which is authorized or licensed by said State to provide permanent care for children or to place children for adoption, as reimbursement for the reasonable and proper expenses of providing services by said agency.

And, in lieu thereof, to insert:

(b) The provisions of this section shall not apply in the case of (1) money received by or paid to a child-care or adoption agency in any State, either public or private, which is authorized or licensed by said State to provide permanent care for children or to place children for adoption, as reimbursement for the reasonable and proper expenses of providing services by said agency; (2) fees received solely for professional legal services in connection with the obtaining of an adoption decree; or (3) fees received solely for professional medical services in connection with the prenatal care of the natural mother or delivery, examination, or treatment of the child.

On page 3, after line 6, to insert:

"(c) Nothing in this section shall be construed to penalize (1) any person for placing or arranging for the placement of any child in any home for permanent free care or adoption, if such person is the natural parent of such child; or (2) any person who

arranges or seeks to arrange for the placement in his home of a child for the purpose of adopting such child or providing him with permanent free care.

In line 21, after the word "interstate", to insert "or foreign"; on page 4, at the beginning of line 3, to strike out "from one State to another" and insert "in interstate or foreign commerce"; in line 7, after the word "adoption", to strike out "or"; in line 8, after the word "shelter", to insert a comma and "or (3) any person who arranges or seeks to arrange for the placement in his home of a child for the purpose of adopting such child or providing him with permanent free care."; in line 15, after the word "years", to insert "and"; after line 15, to strike out:

"(2) The term 'interstate commerce' means transportation of persons or property between one State or possession of the United States, the Commonwealth of Puerto Rico, or the District of Columbia, and another State or possession of the United States, the Commonwealth of Puerto Rico, the District of Columbia, or with a foreign country; and

And, at the beginning of line 22, to strike out "(3)" and insert "(2)"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title 18 of the United States Code is amended by inserting at the end of chapter 53, a new chapter as follows:

"CHAPTER 54—INTERSTATE PLACEMENT OF CHILDREN FOR PERMANENT FREE CARE OR FOR ADOPTION

"Sec.

"1181. Placing child for permanent free care or for adoption for compensation.

"1182. Coercion or enticement of parent.

"1183. Definitions.

"§ 1181. Placing child for permanent free care or for adoption for compensation.

"(a) Whoever, either by himself or through any agent or employee, or other person, directly or indirectly, solicits, collects, or receives any money or any other thing of value, or the promise thereof, in any manner whatsoever, for placing, or arranging for the placement of any child in any home for permanent free care or for adoption, under circumstances requiring or resulting in such child being transported in interstate or foreign commerce, shall be fined not more than \$10,000, or imprisoned not more than five years, or both.

"(b) The provisions of this section shall not apply in the case of (1) money received by or paid to a child-care or adoption agency in any State, either public or private, which is authorized or licensed by said State to provide permanent care for children or to place children for adoption, as reimbursement for the reasonable and proper expenses of providing services by said agency; (2) fees received solely for professional legal services in connection with the obtaining of an adoption decree; or (3) fees received solely for professional medical services in connection with the prenatal care of the natural mother or delivery, examination, or treatment of the child.

"(c) Nothing in this section shall be construed to penalize (1) any person for placing or arranging for the placement of any child in any home for permanent free care or adoption, if such person is the natural parent of such child; or (2) any person who arranges or seeks to arrange for the placement in his home of a child for the purpose of adopting such child or providing him with permanent free care.

"§ 1182. Coercion or enticement of parent

"Whoever, by himself or through any agent or employee or other person, whether in return for the payment or receipt of money or anything of value, or without any such payment or receipt, in any manner whatsoever, persuades, induces, coerces, or arranges for a parent of a child (including a child in ventre sa mere) to travel from or to another place in interstate or foreign commerce to place said child for permanent free care or for adoption when the placement is made or will be made in return for the payment of money or anything of value, shall be fined not more than \$10,000, or imprisoned not more than five years, or both.

"This section shall not interfere in any manner with arrangements for the transportation of a natural mother in interstate or foreign commerce by (1) any child-care or adoption agency in any State, either public or private, which is authorized or licensed by such State to provide permanent care for children or to place children for adoption, (2) any licensed or authorized maternity home or shelter, or (3) any person who arranges or seeks to arrange for the placement in his home of a child for the purpose of adopting such child or providing him with permanent free care.

"§ 1183. Definitions

"As used in this chapter—

"(1) The term 'child' means any individual who has not attained the age of sixteen years; and

"(2) The term 'permanent free care' means the care given to any child on a permanent basis by any person who is not receiving compensation therefor, and is not either related to the child nor standing in such relation to the child or its mother as to create a normal and legitimate interest in their welfare, but such term does not include the free care provided to any child by any licensed or authorized childcare agency or juvenile court."

SEC. 2. (a) The analysis of part I of title 18 of the United States Code is amended by inserting after

"53. Indians..... 1151"

the following:

"54. Interstate placement of children
for permanent free care or
for adoption..... 1181".

(b) That part of the index to title 18 of the United States Code which describes the contents of part I of such title is amended by inserting after

"53. Indians..... 1151"

the following:

"54. Interstate placement of children
for permanent free care or
for adoption..... 1181".

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 2025), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to impose Federal criminal sanctions on persons engaged in the traffic, in interstate or foreign commerce, of placing out children for adoption or permanent free care. Authorized or licensed State child-care or adoption agencies are expressly excepted from the provisions of the bill.

ANALYSIS OF THE BILL

Section 1181 of the amended bill would penalize the person who is trafficking for profit in interstate commerce in placing, or in arranging for the placement of, children for adoption or permanent free care. The section would not affect authorized or licensed State child-care and adoption agencies, whether public or private; they are expressly excepted from the scope of section 1181. Additionally, the section as amended expressly excepts the natural parents or the prospective adoptive parents of a child, since they are primarily the victims, and not the movers, of this interstate traffic. Finally, section 1181 excepts those receiving fees solely for bona fide legal services in connection with obtaining an adoption decree or for bona fide medical services in connection with the prenatal care of the natural mother and the delivery, care, and/or examination of the child.

Section 1182 of the bill would penalize professional "baby brokers" for inducing or coercing the natural mother to travel from one State to another in order to place, or to arrange for the placement of, a child for adoption or for permanent free care. Section 1182 expressly excepts from its scope interstate transportation arrangements by authorized or licensed State child-care and adoption agencies, whether public or private, by authorized or licensed maternity homes or shelters, and by the prospective adoptive parents.

GENERAL STATEMENT

An extended investigation by the Senate Judiciary Subcommittee To Investigate Juvenile Delinquency has established that there exists a continuing and sustained traffic across State lines in which children are being placed for adoption on a commercial basis by unscrupulous individuals. The amount received has ranged between \$1,000 and \$5,000 per child. This traffic is nationwide. Professional "baby brokers" have been found to exist in all sections of the country, and some have openly boasted that they have sent children to every State of the United States. The natural mothers involved come from the entire Nation.

The testimony heard at public hearings furnished many examples of nefarious practices. One example concerns a Duluth, Minn., abortionist who had an arrangement with a Chicago, Ill., attorney whereby prospective mothers were induced by an offer of compensation to go to metropolitan areas to have their children placed for adoption. Representatives of the subcommittee interviewed 12 Duluth mothers whose children had been channeled from the Duluth abortionist to the Chicago attorney, and through the attorney to various States for placement with adoptive couples for amounts varying from \$2,500 to \$3,000. The indictment and arrest of one Michael M. Pontecore, a Chicago attorney, is a further illustration of the interstate solicitation of unmarried mothers for the "baby selling" racket. The subcommittee's investigation uncovered the fact that Pontecore was attempting systematically, and in some instances had succeeded, in bringing pregnant mothers from Oconomowoc, Wis., to Chicago for the placement of their children for adoption or permanent free care. Pontecore received \$1,600 to \$1,700 for each child. In a total flagrant example, the subcommittee traced in detail the movements of William Manella, a Chicago underworld figure, who traveled to various parts of the United States to secure children on behalf of Gale Marcus, another Chicago attorney, who was receiving \$3,000 and more per child from adoptive parents in other States.

There is at the present time no Federal statute making interstate "baby selling" a crime. Passage of the bill would be of material assistance in eliminating this traffic, which has resulted in dangerous adoption

practices and through them in much human tragedy. It will enable prospective adoptive parents to adopt children more readily from authorized or licensed agencies, by directing children from the stream of interstate "baby selling" to the authorized, or licensed agencies. There will, in consequence, be greater protection for the child, the natural parents, and the adoptive parents who are involved in interstate placements for adoption or permanent free care.

Finally, it should be noted that law enforcement officials from States such as New York, Texas, Illinois, and Florida have testified before the subcommittee to the inability of State law to control "baby selling" within a State because of the prevalence of the interstate traffic. Passage of the bill would establish a Federal offense and would tend to supplement State laws.

BILL PASSED OVER

The bill (S. 3530) to authorize establishment of the Tocks Island National Recreation Area in the States of Pennsylvania and New Jersey, and for other purposes, was announced as next in order.

Mr. MANSFIELD. Over.

The PRESIDING OFFICER. The bill will be passed over.

SUSCEPTIBILITY OF MINERALS TO ELECTROMETALLURGICAL PROCESSES

The Senate proceeded to consider the joint resolution (S.J. Res. 136) to determine the susceptibility of minerals to electrometallurgical processes, and for other purposes which had been reported from the Committee on Interior and Insular Affairs, with amendments, on page 2, line 7, after "(1)", to strike out "Susceptibility" and insert "Amenability"; in line 9, after the word "occurring", to strike out "in the Rocky Mountain area, to" and insert "elsewhere, to beneficiation, including"; on page 3, line 2, after the word "the", where it appears the first time, to strike out "Rocky Mountain area and" and insert "mineral areas of"; after line 5, to strike out:

(3) Relation of the development of such processing to the development of potential hydro power and thermal power supplies and requirements in the Rocky Mountain area and to the energy requirements of the Nation as a whole.

At the beginning of line 11, to strike out "(4)" and insert "(3)"; after line 14, to insert a new section, as follows:

SEC. 2. Any surveys made under the authority of this resolution on military reservations shall be subject to the approval of the Secretary of Defense after he is fully informed by the Secretary of the Interior on the scope of the study contemplated.

At the beginning of line 20, to change the section number from "2" to "3"; at the beginning of line 22, to strike out "twelve" and insert "twenty-four"; and on page 4, after the word "appropriated", to insert a colon and "Provided, however, That such appropriation shall not exceed \$250,000 a year."; so as to make the joint resolution read:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Interior shall undertake, in cooperation with the other appropriate departments and

agencies of the Federal Government, with the States and with private industry, a comprehensive study of the—

(1) Amenability of the minerals described in Senate Document 76 of the Eighty-sixth Congress, as well as of other minerals occurring elsewhere, to beneficiation, including electrometallurgical processes;

(2) Potential economic impact upon the economies of the mineral areas of the United States of the development through electrometallurgical processing of these minerals to economic utility and marketability;

(3) The relationship of this development to the security needs of the United States for critical materials and to the market needs of American industry for these materials and commercial production.

SEC. 2. Any surveys made under the authority of this resolution on military reservations shall be subject to the approval of the Secretary of Defense after he is fully informed by the Secretary of the Interior on the scope of the study contemplated.

SEC. 3. (a) The Secretary shall report the results of his study to the President and the Congress not more than twenty-four months after the approval by the Congress of this joint resolution.

The amendments were agreed to.

The joint resolution was ordered to be engrossed for a third reading, was read the third time, and passed.

The preamble was amended so as to read:

Whereas the economic stability and prosperity of the Rocky Mountain area and the Nation depends to a very large extent upon the development of industrial processes which will make economically usable minerals found within the United States; and

Whereas, in order adequately to provide for the security of the United States, it is necessary to develop knowledge about, supplies of, and industrial processes which will make useful the entire range of minerals covered in Senate Document 76 of the Eighty-Six Congress, as well as other minerals which occur in the Rocky Mountain area and elsewhere in the United States: Now, therefore, be it

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 2034), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF MEASURE

The purpose of Senate Joint Resolution 136, as amended, is to authorize a comprehensive study of the efficacy of modern metallurgical methods, including electrometallurgy, on ores found in the United States. The study would be under the direction of the Secretary of the Interior in cooperation with other agencies of the Federal Government, with the States, and with private industry.

Costs may not exceed \$250,000 a year for the 2 years authorized for the study, and the results shall be reported to the Congress.

THE COMMITTEE AMENDMENTS

As introduced by Senator McGEE, Senate Joint Resolution 136 would have authorized the study for minerals found in the Rocky Mountain region, with emphasis on minerals described in Senate Document 76 of the 86th Congress, which is a U.S. Geological Survey report of resources in Wyoming. However, the committee, while recognizing that the Rocky Mountain area is a primary storehouse of minerals, believed that the study should include minerals occurring elsewhere in the United States and hence broadened the provisions accordingly.

Also, at the request of the Department of the Interior, the authorization was extended to include other forms of beneficiation as well as electrometallurgical processes, and the time for the study and report lengthened to 2 years.

A request by the Department of the Army was adopted by the committee to give the Secretary of Defense discretion with respect to surveys to be made on military reservations.

A limitation that appropriations for carrying out the purposes of the resolution shall not exceed \$250,000 a year was written in by the committee.

STRENGTHENING OF CONSERVATION PROGRAM

Witnesses at the committee hearing on Senate Joint Resolution 136 as well as the Interior Department's report on the measure pointed out that the proposed legislation will not give the Secretary of the Interior new and greater powers, but that it will strengthen the present programs for conservation and development of our Nation's mineral resources to meet future security and economic expansion needs.

The Department, through the Bureau of Mines, conducts metallurgy research on minerals of the Rocky Mountain area, as well as those of the rest of the United States, at seven research centers and four associated laboratories.

Metallurgical disciplines involved in this broad program include not only electrometallurgical processes, but also pyrometallurgy, hydrometallurgy, physical metallurgy, mineral beneficiation, and processive metallurgy. And in addition, through the Bureau's Division of Mineral Resources, with 15 offices throughout the United States, fundamental economic, statistical, and reserve data on domestic mineral production and resources are collected, reviewed, and evaluated. The Rocky Mountain area itself is served by a central resource office in Denver and several associated field offices.

It is the committee's intent that study and report provided by Senate Joint Resolution 136 will be in addition and supplemental to the existing and continuing work of the Bureau of Mines and other agencies engaged in carrying out the minerals conservation and development program.

REPORTS OF EXECUTIVE AGENCIES

The favorable reports of the Department of the Interior, the Department of the Army, and the Bureau of the Budget are set forth in full below. As stated, the recommended and requested amendments were adopted by the committee.

DISPOSAL OF MATERIALS

The bill (H.R. 9280) to amend section 2 of the act of July 31, 1947 (61 Stat. 681) and for other purposes was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 2035), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF MEASURE

H.R. 9280 is a companion bill to S. 2613, sponsored by Senator ANDERSON, of New Mexico, chairman of the committee, at the request of the Department of the Interior. Its purpose is to give the Secretary of the Interior limited authority to sell certain materials from the publicly owned lands of the United States by negotiated sale, rather

than by competitive bidding as required by present law.

The House amended the administration-proposed measure to limit the Secretary's authority in disposal by negotiated sale and to set up legislative guidelines. The Senate committee has approved and adopted the House amendments.

In addition, the bill repeals the Dead and Down Timber Act of March 4, 1913 (16 U.S.C. 614, 615) inasmuch as the Materials Act has made this half-century-old statute obsolete.

BACKGROUND OF LEGISLATION

The act of March 4, 1913, referred to above, authorized the Secretary of the Interior to sell, from federally owned lands outside of national forests, timber that is dead, down, or damaged by forest fire. The committee was advised that this statutory authority is no longer required by the Department of the Interior inasmuch as the Materials Act of July 31, 1947, as amended (61 Stat. 681; 69 Stat. 367; 30 U.S.C. 601-604) provides authority to the extent required by the Secretary of the Interior for the disposal of mineral and vegetative materials, including dead and down timber.

Section 2 of the Materials Act (30 U.S.C. 602) provides procedures for sale based upon the value of the material being sold:

(1) If the appraised value is \$1,000 or less, the materials may be disposed of by the Secretary "upon such notice and in such manner as he may prescribe."

(2) If the appraised value is in excess of \$1,000, notice of the proposed disposal must be published once a week for a period of 4 consecutive weeks in a newspaper of general circulation, the sale must be by competitive bidding, and the award must be made to the highest responsible, qualified bidder.

The committee was furnished with several examples where the strict statutory regulation of disposals has impeded the Secretary of the Interior in pursuing an effective disposal program. It was also demonstrated that the \$1,000 valuation is not the basis of realistic division between procedures to be followed. In this latter connection, the committee was advised that in 1947, when the Materials Act became law, \$1,000 would purchase approximately 250,000 board-feet of timber while today the same amount of money could purchase only 25,000 board-feet, thereby requiring advertising for the sale of comparatively small lots of dead or down timber.

Although the committee agrees with the Secretary of the Interior that the Materials Act should be amended to provide greater flexibility, it rejected the proposal submitted by the Department of the Interior in an executive communication recommending that the 1947 act be amended to permit the Secretary to dispose of materials without advertising for competitive bidding whenever he determines "that the public interest will not be served" by competitive bidding.

Your committee joins with the House committee is firmly endorsing the principle of open competitive bidding after advertising with award to the highest responsible, qualified bidder except where such procedures are not practicable. Accordingly, the bill, as amended by the House committee and adopted in the Senate committee, requires the Secretary to dispose of materials to the highest responsible qualified bidder after advertising unless the Secretary authorizes negotiation in certain specific instances.

He may dispose of materials by negotiated sale rather than competitive bidding if the contract is for disposal of—

(1) less than 250,000 board feet of timber; (2) materials required in connection with a program of a public agency and the public exigency will not permit delay for advertising; or

(3) property for which competition is impracticable.

In order to assure continuing surveillance over the disposal program and to assure compliance with the principle of competitive bidding, the bill has been amended to require annual reports to Congress concerning all negotiated contracts except those for less than 250,000 board-feet of timber was arrived at as a quantity that represents a medium-size disposal regardless of whether the value thereof goes up or down.

In recommending this legislation for enactment, the committee gives its assurance that it will review the disposals to assure that there has not been artificial division of sales in increments in order to avoid the requirements of this act concerning advertising or the waiver of advertising.

COSTS

No increase in budgetary requirements is involved in H.R. 9280.

PHOSPHATE RIGHTS TO DR. P. PHILLIPS FOUNDATION, ORLANDO, FLA.

The bill (H.R. 9593) to provide for the conveyance of certain phosphate rights to the Dr. P. Phillips Foundation, of Orlando, Fla., was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 2036), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF BILL

The purpose of H.R. 9593 is to authorize the sale of phosphate rights retained by the Federal Government in a tract of approximately 80 acres in Orange County, Fla., to the surface owner of the lands, the Dr. P. Phillips Foundation. The committee is informed that the foundation plans surface development, but finds that the reservation of the Federal Government constitutes a cloud on its title.

In addition to paying the fair market value of the mineral rights, the surface owner also would pay administrative charges in the amount of \$200 to reimburse the Federal Government for the costs of conveyance.

BACKGROUND OF PROPOSED LEGISLATION

The lands which are the subject of H.R. 9593 were purchased by the foundation on March 14, 1952, under the Isolated Tracts Act (found in 43 U.S.C. 1171), in an open competitive bid sale. At that time, phosphate had been found in not too far distant areas in Florida and the lands were classified as prospectively valuable for phosphate. Therefore, under the act of July 17, 1914 (38 Stat. 509; found in 30 U.S.C. 122) the phosphate rights were excepted from the sale and reserved by the United States.

The Interior Department's report dated March 26, 1962, to the committee on the Senate bill sets forth:

Our geological survey states that available data indicates the land is without value for phosphate.

The committee also has reports before it submitted by Senator HOLLAND from two different private testing and mineral exploration experts stating the site contains no phosphate deposits of commercial value. By letter to Senator ANDERSON dated August 17, the Bureau of Land Management reported the nearest phosphate development to be some 30 to 35 miles distant.

Thus, if the 80-acre tract were being sold today, the patent from the Federal Government in all probability would not contain a phosphate reservation.

The land involved is in an area of urban and suburban development. The outstanding Federal phosphate interest precludes development of the lands described in the bill because of the possibility, even though remote, that exploration for phosphate might be undertaken and thus interfere with the surface use of the land.

Therefore, your committee recommends approval by the Senate of H.R. 9593.

EXCLUDE DEPOSITS OF PETRIFIED WOOD UNDER U.S. MINING

The bill (H.R. 10540) to exclude deposits of petrified wood from appropriation under the U.S. mining laws was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 2037), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF BILL

H.R. 10540 is a companion measure to S. 2974 which was sponsored by the chairman of the committee, Senator CLINTON P. ANDERSON, at the request of the Department of the Interior. Its purpose is to make petrified wood subject to sale under the Materials Act of July 31, 1947, as amended by the act of July 23, 1955 (61 Stat. 681; 69 Stat. 368; 30 U.S.C. 601-611), instead of having such deposits locatable under the general mining laws. Under the bill the Secretary of the Interior would be required to designate areas of public land from which limited quantities of petrified wood could be removed without charge by amateur collectors and scientists.

The Solicitor of the Department of the Interior has interpreted existing statutes as not authorizing the disposal of petrified wood, making it, therefore, subject to location under the U.S. mining laws, and thus disposable by private individuals without any reimbursement to the Federal Government. Because petrified wood is of considerable interest to rock collectors, scientists, and educators, and for its scenic attraction, it is necessary to control removal of petrified wood from public lands in order to assure its preservation. At present, the unregulated "mining" of petrified wood often is accomplished through use of tractor plows, thereby ruining the surface of the land and contributing to soil erosion.

Although the committee has been advised that "petrified wood" is neither petrified nor wood but rather a fossilized mineral substance, it has adopted the common terminology by which this resource is known. Likewise, the committee sees no purpose in engaging in or encouraging a discussion as to whether such deposits of petrified wood were intended to be locatable under the mining laws. The important thing appears to be the requirement that petrified wood deposits be protected so that they may be conserved for future use and enjoyment.

The procedure recommended by the Secretary of the Interior has been agreed on as the simplest and most direct manner of accomplishing the expressed purpose. Under this procedure, as embraced in H.R. 10540, petrified wood would be disposable as a "common variety" under the act of July 23, 1955, referred to above.

CVIII—1232

REAL ESTATE AND CONSTRUCTION LOANS APPLICABLE TO NATIONAL BANKS

The bill (H.R. 7796) to amend certain lending limitations on real estate and construction loans applicable to national banks was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 2038), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF BILL

The first section of H.R. 7796 would amend the first paragraph of section 24 of the Federal Reserve Act. Under this paragraph a national bank may now make real estate loans secured by first liens in an aggregate amount not in excess of its paid-in and unimpaired capital stock plus its unimpaired surplus funds, or not in excess of 60 percent of the amount of its time and savings deposits, whichever is greater. The bill would increase the second alternative limit, i.e., 60 percent of a national bank's time and savings deposits, to 70 percent of its time and savings deposits.

The second section of the bill would amend the third paragraph of section 24 of the Federal Reserve Act which regulates the making of construction loans for industrial and commercial buildings and residential and farm buildings. Under existing law construction loans on industrial and commercial buildings are limited to maturities of 18 months or less; construction loans on residential and farm buildings, however, are limited to maturities of 9 months or less. The amendment would increase the limitation on maturities for construction loans on residential and farm buildings to 18 months or less.

REAL ESTATE LOANS

The present aggregate limitation for a national bank with regard to the amount of conventional real estate loans it may make has been the law since 1935. Since that time many things have changed in the field of real estate financing. The most notable change has been the development of and almost universal use of the amortized loan. An amortized loan is considered to be a much safer investment for the bank and generally a much better form of repayment for the borrower than what was available prior to the development of this type of financing. Also the commercial banks' interest in residential mortgages has increased greatly in recent years partly because of the development and use of the amortized loan and partly because of a need for banks to be more effective in meeting the real estate mortgage needs of their communities.

The simple amendment contained in the bill (which increases the aggregate real estate loan limitation from 60 to 70 percent of a bank's time and savings deposits) would add substantially to the mortgage investment potential of national banks. The witness for the American Bankers Association estimated such increased mortgage investment potential at almost \$5 billion. The three bank supervisory agencies have reported favorably on this legislation and the hearings indicate that the proposed increase in the aggregate limitation on real estate loans could be made without undue risk to the banks and their depositors.

CONSTRUCTION LOANS

As previously indicated, construction loans on residential and farm buildings under existing law may not exceed 9 months and the

bill would increase this maximum maturity limitation to 18 months.

Testimony received by the committee disclosed that the proposed change in the law is desirable since experience has shown that often conditions beyond the control of the builder have delayed completion of the construction beyond the now maximum limitation of 9 months. Such testimony cited delays of 6 to 8 weeks in order to obtain a commitment for a governmental guarantee or insurance.

AUTHORITY OVER THE TRUST POWERS OF NATIONAL BANKS

The bill (H.R. 12577) to place authority over the trust powers of national banks in the Comptroller of the Currency was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 2039), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF BILL

H.R. 12577 would transfer from the Board of Governors of the Federal Reserve System to the Comptroller of the Currency authority to grant trust powers to national banks and to issue regulations governing the exercise of such powers. This power is now conferred upon the Board by subsection (k) of section 11 of the Federal Reserve Act, which this bill repeals. No change would be made from the substantive provisions of section 11(k) other than the transfer of authority, so that there is no alteration of existing law regarding national banks acting in fiduciary capacities.

Section 2 contains a saving clause, to make clear that nothing contained in the bill would affect or curtail the right of any national bank to exercise trust powers under a permit previously issued by the Board of Governors of the Federal Reserve System.

Section 4 of the bill would amend section 584 of the Internal Revenue Code, regarding common trust funds, to provide for the fact that regulations concerning such funds would be issued by the Comptroller of the Currency, rather than the Board of Governors of the Federal Reserve System, as a result of this bill. Reference to rules and regulations issued by the Board pertaining to such funds would be left in that section to give continued validity to actions taken heretofore in reliance upon the Board's regulations. However, since the preceding sections of the bill would transfer such authority to the Comptroller, the continued reference to the Board in that section would have no effect as to the future common trust fund questions, which would depend instead upon the regulations of the Comptroller, under the bill. The last section of the bill would amend section 581 of the Internal Revenue Code to reflect the fact that H.R. 12577 would repeal section 11(k) of the Federal Reserve Act and would place these matters under the authority of the Comptroller.

GENERAL STATEMENT

In the legislative recommendations of the Federal supervisory agencies to the Senate Committee on Banking and Currency (committee print, 84th Cong., 2d sess.) the Comptroller of the Currency expressed the opinion that this power should be transferred. Then, as now, the Board of Governors stated that it had no objection, but recommended that the regulation of common trust funds also be transferred. This bill would carry out that recommendation. At

the time national banks were first permitted to engage in trust activities, the power to grant them permission to do so was given to the Board. However, this section applies only to national banks and not to State member banks. Since national banks, including their trust departments, are supervised by the Comptroller of the Currency, the power to grant and regulate their authority to act as trustees should logically rest with that Office rather than with the Board. On the basis of his general supervisory functions with respect to national banks, the Comptroller has adequate information upon which to decide whether a particular bank should be allowed to exercise trust powers, and to formulate regulations governing the exercise of such powers.

Under section 584 of the Internal Revenue Code, all banks, State or National, must conform to regulations of the Board of Governors of the Federal Reserve System with respect to collective investment of trust funds of national banks in order to qualify for income tax exemption of their common trust funds. Under the bill, State banks must conform to regulations issued by the Comptroller of the Currency pertaining to the collective investment of trust funds by national banks. However, this bill will result in no change in the present distribution of power between Federal and State Governments, nor will it cause any weakening of the principles underlying the dual banking system. The Internal Revenue Code requires that, for tax purposes, regulations applicable to the collective investment of trust funds be issued at the Federal level. This bill would shift existing authority from one Federal agency to another. It would not give authority to the Comptroller of the Currency to exercise any supervisory functions over State banks. Federal income tax regulations as to common trust funds would continue to be uniform for all banks, State and National.

Hearings were held on H.R. 12577 on August 30, 1962. The three Federal bank supervisory agencies supported the bill.

BANK BRANCHES WHICH MAY BE RETAINED UPON CONVERSION OR CONSOLIDATION OR MERGER

The bill (H.R. 12899) to amend section 5155 of the Revised Statutes relating to bank branches which may be retained upon conversion or consolidation or merger was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 2040), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

H.R. 12899 would amend subsection (b) of section 5155 of the Revised Statutes. Under this subsection in conjunction with other provisions of existing law, when a bank converts from a State to a National charter, it must give up any of its branches established after February 25, 1927, unless such branches can be newly established under State law at the time of conversion. This is a result which is brought about by Federal law and not by State law. In other words, the Federal law precludes the coverage by State grandfather clauses of branches established after February 25, 1927.

The bill would change this by permitting the same branch retention privileges to a bank converting from a State to a National

charter as the law of the State permits to a bank converting from a National to a State charter, except that in any given instance the retention of a branch established after February 25, 1927, would be subject to the approval of the Comptroller of the Currency.

A similar situation obtains with respect to consolidations. Under existing law, a national bank must close any branch established after February 25, 1927, when the national bank consolidates with any other bank, unless the branch in question could, under State law, be newly established at the time of the consolidation. The bill would permit the retention, with the approval of the Comptroller of the Currency, of any branch of the bank under whose charter the consolidation is carried out, provided that a State bank carrying out a similar consolidation would not be prohibited from retaining a similar branch. The bill would also define "consolidation" to include a merger, as the practical effect of the two is the same.

GENERAL STATEMENT

The existing law as to retention of branches in cases of conversion, consolidation, or merger operates as a deterrent to State banks converting into national banks in certain States, and hence is inconsistent with the dual banking system, which contemplates that State banks should be able to convert freely into national banks and vice versa. The bill, as in the case with existing law, would have no application in those States which have unlimited branch banking, or in those States where branch banking is prohibited. Its effect would be felt only in States which permit a limited form of branch banking, and which at one time had more liberal branch laws than at present, or in which because of intervening factual changes, existing branches could not be reestablished. In such States, upon conversion, consolidation, or merger, a bank may have to give up all of its branches acquired since February 25, 1927.

The purpose of the existing law is to prevent a bank from acquiring branches by taking over other banks where such branches could not legally be established under State law. However, this purpose does not apply to branches of a bank under whose charter a consolidation is carried out, and no public interest is served by requiring such a bank to give up its legally established branches already in existence.

The bill would remove this inequality to our national banks without departing from the purpose of the existing law. It would permit the retention of those legally established branches of the national bank under whose charter the merger or consolidation is being effected, subject to the approval of the Comptroller, and subject to the absence of provisions in the appropriate law of the State which would deny retention in identical circumstances where the resulting bank is a State bank. In so doing, it would preserve the existing permission for the retention of all branches of the banks whose charters will cease to exist by the merger or consolidation, and the retention of their main offices as branches, if such branches could be established on original application under the law of the State at the time of the merger or consolidation.

Hearings were held on H.R. 12899 on August 30, 1962. The three Federal bank supervisory agencies, the American Bankers Association, and the National Association of Supervisors of State Banks supported the bill. No opposition was expressed.

APPLICATION OF UNIFORM LIMITED PARTNERSHIP ACT TO DISTRICT OF COLUMBIA

The bill (H.R. 11019) to provide that the Uniform Limited Partnership Act shall apply in the District of Columbia

was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 2050), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

The purpose of this bill is to substitute the Uniform Limited Partnership Act for the present law in the District, adopted March 3, 1901 (31 Stat. 1415; D.C. Code, 1961 ed., sec. 41-101 et seq.).

Present law has not been revised in the 60 years of its existence, except for minor procedural amendments. Despite the growth of multiple and complex business and professional interrelationships, no effort has been made to modernize the law to facilitate the organization of limited partnerships which would have practical application in the expanding economy.

The Uniform Act was approved by the National Conference of Commissioners on Uniform State Laws—chosen from the legal profession—46 years ago, and since then the Uniform Act, approved by the American Bar Association, has been adopted in 40 States, including Maryland and Virginia, as follows:

Alaska, Arizona, Arkansas, California, Colorado, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, and Wisconsin.

The need for the adoption of the Uniform Act was urged before the subcommittee at the time of public hearings, because of the following reasons:

1. The inadequacy of existing law under which limited partnerships may be formed only for mercantile, mechanical, or manufacturing businesses, and have not more than six limited partners who must contribute cash in order to obtain limited liability. The Uniform Act would enable the use of limited partnerships in various fields, such as real estate, construction, and ownership.

2. To meet economic growth in this area, businessmen and investors have long been forced to resort to more unusual and complex forms of business arrangements to achieve some of the benefits of limited partnership form of business organization. The bill would obviate such arrangements.

3. The desire for uniformity in this locality, bringing the law of the District into conformity with that of Virginia and Maryland, so that business ventures may be conducted in any one or all three jurisdictions without difficulty, and the disparity among their laws will be eliminated.

H.R. 11019 will not disturb the legal status of limited partnerships formed under the existing limited partnership law, and they shall continue to be governed thereby, although they may, under the terms of the bill, become a partnership under this act.

H.R. 11019 incorporates the Uniform Act in its entirety, and enactment of the bill would conform the District's law to the other jurisdictions. The bill repeals present law with respect to limited partnerships formed subsequent to the effective date of its enactment, and substitutes a precise and comprehensive formula for establishing limited partnerships, carefully delineating the rights and obligations of the limited partners inter se and in relation to the partnership as a whole.

The bill also provides for filing of certificate of limited partnership, and any amend-

ment or cancellation thereof, with the Recorder of Deeds, the office in the District of Columbia established to perform the function of filing and recording instruments and documents. Presently, such recordation is made with the U.S. District Court for the District of Columbia.

No opposition to the bill was expressed at the hearings. It is sponsored by the Bar Association of the District of Columbia, and supported by the Board of Commissioners of the District of Columbia and by the Metropolitan Washington Board of Trade.

FORMATION OF PARTNERSHIPS IN THE DISTRICT OF COLUMBIA

The bill (H.R. 12675) to provide for the formation of partnerships in the District of Columbia and to make uniform the law with respect thereto was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 2051), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

The purpose of this bill is to establish statutory authority for the formation and conduct of partnerships in the District of Columbia, and to make the law more certain and uniform with respect thereto by enacting into law the Uniform Partnership Act.

Existing law in the District of Columbia was enacted over 60 years ago (act of Mar. 3, 1901, 31 Stat. 1414; D.C. Code, 1961 ed., secs. 41-201 through 41-204) and has been in effect without change or modification since. Inadequate of itself, existing law will be retained as a desirable supplement to the more basic and fundamental provisions of H.R. 12675.

The Uniform Partnership Act was approved by the National Conference of Commissioners on Uniform State Laws in 1914 and by the American Bar Association the following year. Since then it has been adopted by and is in effect in 39 States, including Maryland (in 1916) and Virginia (in 1918), as follows:

Alaska, Arkansas, Arizona, California, Colorado, Delaware, Guam, Idaho, Illinois, Indiana, Kentucky, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Montana, Nebraska, Nevada, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, and Wyoming.

The present statutory law in the District of Columbia is of extremely limited application. It applies solely to the composition by a partner of his liability to a partnership creditor upon dissolution of the partnership. This aspect of partnership law, though important, is only a small part of the general body of partnership law as developed through the centuries by courts in this country and abroad. Thus, existing law in the District of Columbia does not cover the more basic and fundamental facets of partnership law such as: (1) The nature of the partnership relationship itself; (2) the relationship of partners inter se; (3) the property rights of partners; (4) the dissolution and termination of the partnership; and (5) relations of the partners to third persons dealing with the partnership other than the composition of liability therewith upon dissolution of the partnership.

In the District of Columbia, the development of partnership law in these more fun-

damental areas has been dependent upon judicial decisions rendered by the local courts. Because of the very nature of litigation and appellate review, these decisions have been relatively few and narrowly worded. The result is a dearth of authority on a great many facets of partnership law which are of considerable importance to local businessmen using the partnership form of business organization. No single, comprehensive body of law applicable to partnerships presently exists in the District of Columbia which may be looked to with confidence for business and legal guidance. The Uniform Partnership Act, as embodied in H.R. 12675, fills this void.

Uniformity of law becomes a practical necessity in a metropolitan area such as this, where the zone of commercial activity spans three separately governed jurisdictions. Frequently, residents of Virginia and Maryland desire to join together with District of Columbia residents to conduct a partnership business which may be located in any one or all three jurisdictions. Enactment of the reported bill would eliminate many incongruities and inequities implicit in such circumstances by bringing the law of the District into conformity with that of its neighboring States, Maryland and Virginia.

Enactment of H.R. 12675 does not repeal present law (31 Stat. 1414; D.C. Code, 1961 ed., secs. 41-201 through 41-204), which, as stated, pertains to the composition or compromise of a partner's liability to creditors upon dissolution of a partnership. This aspect of partnership law is not covered by the reported bill, and present law is not believed to be inconsistent therewith. Hence, the retention of sections 41-201 through 41-204 will, it is believed, provide a desirable supplement to the more basic and fundamental provisions of the Uniform Act contained in H.R. 12675.

On August 30, 1962, the Judiciary subcommittee held public hearings on the bill. There were no witnesses who appeared in opposition to the measure.

The bill is sponsored by the Bar Association of the District of Columbia, and supported by the Commissioners of the District of Columbia.

Enactment of this bill will not involve any additional cost to the District government.

BILL PASSED OVER

The Senate proceeded to consider the bill (H.R. 5831) to amend section 11 of the act of April 1, 1942 (56 Stat. 197, ch. 207; D.C. Code, 1951 ed., sec. 11-776), being an act to "consolidate the police court of the District of Columbia and the municipal court of the District of Columbia, to create the municipal court of appeals for the District of Columbia, and for other purposes"; in order to modify the retirement benefits of the judges of the municipal court for the District of Columbia, the municipal court of appeals for the District of Columbia, and the juvenile court of the District of Columbia, and for other purposes was announced as next in order.

Mr. MANSFIELD. Over.

The PRESIDING OFFICER. The bill will be passed over.

INVESTMENT OF FUNDS OF INSURANCE COMPANIES WITHIN THE DISTRICT OF COLUMBIA

The bill (S. 3358) to permit investment of funds of insurance companies organized within the District of Columbia in

obligations of the Inter-American Development Base was considered, ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 35(1) of chapter III of the Act of June 19, 1934 (48 Stat. 1152, as amended; D.C. Code, title 35, sec. 535(1)), is amended to read as follows:

"(1) Bonds, notes, or other evidences of indebtedness of the United States, any State, territory, or possession of the United States, the District of Columbia, the Dominion of Canada, any Province of the Dominion of Canada, or of any administration, agency, authority, or instrumentality of any of the political units enumerated; or obligations issued or guaranteed as to principal and interest by the International Bank for Reconstruction and Development or by the Inter-American Development Bank."

Sec. 2. Section 18(1) of chapter II of the Act of October 9, 1940 (54 Stat. 1072; D.C. Code, title 35, sec. 1321(1)), is amended to read as follows:

"(1) Bonds or other evidences of indebtedness of the United States, or of any State; or of the Dominion of Canada, or of any Province thereof; or obligations issued or guaranteed as to principal and interest by the International Bank for Reconstruction and Development or by the Inter-American Development Bank."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 2053), explaining the purpose of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

The purpose of the bill is to permit domestic insurance companies to invest in bonds, notes, or other evidences of indebtedness of the Inter-American Development Bank. Presently, insurance companies organized in the District of Columbia are permitted to invest funds in obligations of the United States, any State, territory, or possession of the United States, the District of Columbia, the Dominion of Canada, any Province of the Dominion of Canada, or of any administration, agency, authority, or instrumentality of any of the political units enumerated or obligations issued or guaranteed as to principal and interest by the International Bank for Reconstruction and Development. The Inter-American Development Bank would be added to this list in the acts of June 19, 1934, and October 9, 1940 (48 Stat. 1152 and 54 Stat. 1072, D.C. Code, 1961 ed., sec. 35-535 (1) and sec. 35-1321(1)).

The Inter-American Development Bank is an official international financial institution the members of which are the United States and the other Republics of the Western Hemisphere, with the exception of Cuba. The Bank was organized to accelerate the economic development of the American Republics. The United States accepted membership in the Bank by virtue of Public Law 86-147. This act authorizing U.S. membership in the Bank also empowers national banks to deal in and underwrite securities issued by the Bank and for this purpose places these securities in the same general category as U.S. Government, municipal, and State securities.

The authorized capital stock of the Bank is \$850 million. Of the total capital stock actually subscribed (\$813,160,000, since Cuba did not become a member), \$381,580,000 is to be paid in and \$431,580,000 is callable to meet obligations on borrowings or guarantees made by the Bank chargeable to its

ordinary capital resources. In effect, the callable capital serves as a guarantee for purchasers of securities floated by the Bank in private capital markets. The arrangements with respect to the capital stock are similar in principle with those of the International Bank for Reconstruction and Development, which has sold large amounts of its securities in the capital markets of the United States.

The voting in the Bank's Board of Governors and in the Board of Executive Directors is based on the amount of stock held by the members. The U.S. vote is 41.8 percent.

The 51st Annual Governors' Conference in 1959 unanimously adopted a resolution urging appropriate legislative and administrative action by State governments to make securities of the IDB legal investments by institutional and fiduciary investors in the various States. The conference recognized that the successful financing of the Bank, and indirectly the social-economic development of Latin America, could be importantly furthered by such legislative action of the several States, thereby enabling the Bank to market its securities effectively in the United States. Consistent with this resolution, California, Connecticut, Georgia, Louisiana, Massachusetts, Mississippi, New Jersey, New York, Pennsylvania, Rhode Island, and Wisconsin have adopted the necessary legislation to qualify the obligations of the Bank for investment by institutional and fiduciary investors.

Subject to various statutory and administrative qualifications, rulings, and restrictions, bonds of the Inter-American Development Bank are legal investments, as follows:

For all national banks and State member banks of the Federal Reserve System;

For other commercial banks in 45 States and the District of Columbia;

For savings banks in 24 States and the District of Columbia (only 38 States have separate savings banks);

For life insurance companies in 20 States (plus 16 other States under "leeway" clauses);

For trust funds in 40 States and the District of Columbia (the appropriate rule of the U.S. District Court for the District of Columbia was recently amended to permit investment of the IDB securities by fiduciaries in the District of Columbia); and

For public funds in 14 States.

The Secretary of the Treasury, the Board of Commissioners and the Superintendent of Insurance of the District of Columbia favor this legislation and its enactment will not result in additional expense for the District of Columbia.

AMENDMENT OF THE DISTRICT OF COLUMBIA UNEMPLOYMENT COMPENSATION ACT

The Senate proceeded to consider the bill (S. 3596) to amend the District of Columbia Unemployment Compensation Act as amended which had been reported from the Committee on the District of Columbia with amendments on page 1, line 5, after "sec.", to strike out "46-301" and insert "46-303", and in line 9, after the word "thereafter", to strike out "an employer who became" and insert "any employer who is"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 3(c)(4)(i) of the District of Columbia Unemployment Compensation Act, approved August 28, 1935 (49 Stat. 946), as amended (sec. 46-303, D.C. Code), is amended by striking out the period at the end thereof and inserting in lieu thereof a colon and the following: "Provided, That for

the calendar year 1963, and for each calendar year thereafter, any employer who is subject to this Act by virtue of the amendment of section 1(b)(5)(G) of this Act by the Act of March 30, 1962, and who has not been subject to this Act for a sufficient period to meet this requirement, may qualify for a rate less than the standard rate if his account could have been charged with benefit payments throughout a lesser period but, in no event, less than the twelve consecutive calendar months ending on the computation date (as herein defined) for that calendar year."

(b) Section 3(c)(5) of such Act is amended by adding at the end thereof the following: "The Board shall compute rates for the second six months of 1963 for all employers first acquiring the necessary twelve months' benefit experience under section 3(c)(4)(i) on the computation date June 30, 1963. Such rates shall be based upon such employer's experience in the payment of contributions and benefits charged against his account through June 30, 1963, prior to the crediting of his account with trust fund interest. All employers issued a rate for the second six months of 1963, under this subsection, shall have a computation date of September 30, 1963, for the calendar year 1964."

(c) Section 3(c)(9)(b) of such Act is amended by striking out the semicolon at the end thereof and inserting in lieu thereof a colon and the following: "Provided, That for an employer whose account could have been charged with benefit payments throughout at least twelve but less than thirty-six consecutive calendar months ending on the computation date, the term 'average annual payroll' means the total amount of wages for employment paid by him during the twelve-month period ending ninety days prior to the computation date;"

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 2054), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

The purpose of this bill is to amend the District of Columbia Unemployment Compensation Act so as to reduce the experience period required for nonprofit organizations to become eligible for consideration of a reduced unemployment compensation contribution tax rate. Generally, this will permit nonprofit organizations to be considered for a reduced tax rate after 1 year of coverage, instead of the present requirement of 3 years. The bill extends the advantages of the reduced experience period to all nonprofit organizations who became or will become subject to the District of Columbia Unemployment Act, as amended by Public Law 87-424. This public law which became effective on April 1, 1962, brought within the coverage of the District of Columbia Unemployment Compensation Act, nonprofit agencies organized and operated in whole or in part for educational, literary, and scientific purposes.

Although Public Law 87-424 brought some nonprofit organizations under the provisions of the District of Columbia Unemployment Act, certain other employers, organized and operated exclusively for the relief of poverty and the advancement of religion, retained their exemption as did employers, organized and operated for other purposes beneficial to the community, but not of a scientific, educa-

tional, or literary nature. (The American Red Cross is an example of the type organization exempted under this latter category.) However, the exemption of all employers operated in whole or part for the advancement of education or for other purposes beneficial to the community and in whole or part of a scientific or literary nature, was terminated.

Under the existing District of Columbia Compensation Act, the nonprofit corporations who were brought under the coverage of the act as of April 1, 1962, would not be eligible to be considered for a reduced contribution tax rate until the calendar year 1967.

Some of the nonprofit agencies have, and others probably will, accelerate their eligibility to be considered for a reduced rate for the calendar year 1966 by electing coverage beginning January 1, 1962.

This pending bill provides that the nonprofit organizations in question shall be eligible to be considered for a reduced rate for the calendar year 1965, and if they elect coverage beginning January 1, 1962, permits them to be considered for a reduced rate beginning with the second half of the calendar year 1963.

Inasmuch as many of the organizations involved perform services to the general public and any costs must be passed on to individuals using their services, the committee believes that this bill will assist the institutions involved in holding down their costs to the public using their services. At the same time, this bill does not alter the intention of the committee last year when it unanimously agreed to extend the protection of the District of Columbia Unemployment Compensation Act to employees of certain nonprofit, educational, literary, and scientific institutions. The committee feels that it is sound public policy to extend unemployment compensation insurance coverage to as many groups as possible. On the other hand, it does not wish to place such a heavy financial burden on the cost of operating schools, hospitals, and other nonprofit institutions in the District of Columbia that it will result in increased fees for students and patients in the case of schools and hospitals.

On August 29, 1962, public hearings were held on S. 3596 by the Public Health, Education, Welfare, and Safety Subcommittee of the Committee on the District of Columbia. Representatives were present from the District of Columbia Board of Commissioners, the District of Columbia Unemployment Compensation Board, the Metropolitan Washington Board of Trade, George Washington University (who also represented seven colleges and universities and the Association of Independent Schools of Greater Washington), and the Hospital Council of the National Capital Area, Inc.

The witnesses all urged that the bill be enacted into law expeditiously, as have numerous nonprofit institutions through letters to Senator Wayne Morse, chairman of the subcommittee which held hearings on the measure.

The committee believes that the bill, as amended, is in the public interest.

ACT RELATING TO THE AMENDMENT OF THE NATIONAL CAPITAL PARK AND PLANNING COMMISSION

The bill (H.R. 9954) to amend the act on June 6, 1924, chapter 270 (43 Stat. 463), relating to the National Capital Park and Planning Commission as amended by the National Planning Act of 1952 (66 Stat. 781; 40 U.S.C. 71), was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 2055), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

The purpose of this bill is to amend existing law, as cited in the title of the bill, so as to add to the ex officio membership of the National Capital Planning Commission the Administrator of the National Capital Transport Agency.

The National Capital Planning Commission and its predecessors, the National Capital Park Commission, the National Capital Park and Planning Commission, and the Highway Board have been engaged in planning for the National Capital area since 1893. The present National Capital Planning Commission has been designated by Congress as the central general planning agency of the Federal and District of Columbia Governments for the District of Columbia and the Federal enclave. This was in recognition of the great interest of the Federal Government in the orderly development of the Capital and the fact that such development would require coordination of all plans of the District government and the multitude of Federal agencies in the National Capital area.

The membership of the National Capital Planning Commission and its predecessors historically has included, ex officio, the heads of those departments and agencies of the Federal Government responsible for the physical development of the National Capital region. The Highway Board, established in 1893, was composed of the Secretaries of War and Interior and the Chief of Engineers of the Army. Today, the ex officio membership of the Planning Commission includes the following heads of Federal departments or agencies: The Federal Highway Administrator, the Commissioner of Public Buildings, the Chief of Engineers of the Army, and the Director of the National Park Service.

At the time of the passage of the National Capital Planning Act of 1952, the National Capital Transportation Agency did not exist and its Administrator obviously could not then have been included among the ex officio members of the Commission. The National Capital Transportation Agency was established by the Congress in 1960 to prepare a transportation plan for the National Capital region, including express transit lines, highways, and related transportation facilities.

The Agency's work clearly has a direct and immediate bearing on the work of the National Capital Planning Commission. The transportation plans of the Agency will have a vital effect on the development plans of the Commission, and it is essential that these be coordinated.

At a public hearing on H.R. 9954 held by the Fiscal Affairs Subcommittee of this committee on August 1, 1962, testimony in support of the bill was offered by a representative of the National Capital Transportation Agency, with the approval of the Bureau of the Budget, and by a representative of the District of Columbia Corporation Counsel's Office testifying in behalf of the Board of Commissioners of the District of Columbia.

REPEAL OF CERTAIN SECTION OF ACT RELATING TO ESTABLISHING CODE OF LAW FOR THE DISTRICT OF COLUMBIA

The bill (H.R. 12689) to repeal section 557 and to amend section 559 of the act entitled "An act to establish a code of law for the District of Columbia," was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 2056), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

The purpose of this bill is to delete from existing law the pertinent provisions that provide for the appointment of commissioners of deeds by the President of the United States. The prescribed duties of such office pertain to acknowledgment of deeds for the conveyance of property within the District of Columbia, the administration of oaths; and the taking of depositions in cases pending in the courts of the District.

The Department of Justice has informed the committee that there has been no appointment of a commissioner of deeds for about 20 years, and further, that there is no need for such an appointed officer for the reason that section 1-511 of the District of Columbia Code authorizes notaries public of the District to take acknowledgments of deeds and to take depositions and to administer oaths.

The Board of Commissioners of the District of Columbia, in a letter to the committee dated August 7, 1962, concur with the Attorney General that there is no longer any need for commissioners of deeds in the District of Columbia, and the Commissioners, therefore, favor enactment of this legislation.

Enactment of H.R. 12689 will involve no additional cost to the District of Columbia.

MEDICAL CARE FOR ALL INJURIES AND DISEASES OF FIREMEN AND POLICEMEN IN DISTRICT OF COLUMBIA

The bill (H.R. 12727) to amend the act of February 28, 1901, to insure that policemen and firemen in the District of Columbia will receive medical care for all injuries and diseases was considered, ordered to a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 2057), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

The purpose of this bill is to clarify existing law pertaining to the medical care provided policemen and firemen in the District of Columbia, so as to make it perfectly clear that the members of the Board of Police and Fire Surgeons may attend policemen and firemen for any injury received or disease contracted "whether or not received or contracted in the performance of duty."

As a practical matter, the Board of Police and Fire Surgeons have for many years treated members of the two services for injuries and illnesses not received in line of duty, as well as those received or contracted in the performance of duty. This medical care has been extended to them under the authority of an act relating to the Metropolitan Police of the District of Columbia, approved February 28, 1901, which states, in pertinent part, as follows:

"* * * Such police surgeons shall attend, without charge, all members of said police force and of the Fire Department of said District, examine applicants for appointment and retirement in and to said police force and said Fire Department, and attend such dependent sick and injured, * * *"

There are no limitations or restrictions in the original act which qualify in any way the type or class of injury and illness to be treated by members of the Board of Police and Fire Surgeons—treatment is extended to these members whether or not the injury or illness was incurred in the line of duty.

The Board of Police and Fire Surgeons, which administers the medical care program, consists of 12 members of the medical profession—2 of whom are paid on a full-time basis by the District of Columbia and the remaining 10 being paid on a part-time basis (80 percent of a 40-hour week, or 32 hours). Members of the Board serve during regular clinic hours at the Police and Fire Clinic, located on the 3d floor of Engine Co. 16, District of Columbia Fire Department, 1018 13th Street NW., on weekdays, with a limited service available to Department members on Sundays. These doctors are on call on a 24-hour basis for emergency treatment and attendance to members of the Departments, and they are also available and do respond to the scenes of multiple alarms of fires, riots, etc., where policemen and firemen are serving in unusual numbers and under unusual conditions. In addition, Board members make regular visits to Department members confined to homes and hospitals.

Enactment of this bill will neither add to nor will it detract from the medical care benefits now available to members of the Police and Fire Departments, and it will involve no additional costs whatsoever to the District of Columbia government.

Testimony favoring the enactment of this measure was received from the District of Columbia Fire Department; the Fire Fighters Association, District of Columbia, Local 36, IAFF; the Metropolitan Police Department; and the Policemen's Association, District of Columbia.

AMENDMENT OF CERTAIN SECTIONS OF LIFE INSURANCE ACT FOR THE DISTRICT OF COLUMBIA

The Senate proceeded to consider the bill (H.R. 8738) to amend sections 1 and 5b of chapter V of the Life Insurance Act for the District of Columbia which had been reported from the Committee on the District of Columbia with an amendment on page 10, line 7, after the word "and", to strike out "sixty-eight." and insert "sixty-eight."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 2058), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

The purposes of the bill are:

(1) To provide for the use, in connection with life insurance issued in the District of Columbia, of the most modern tables of mortality developed and recommended by the National Association of Insurance Commissioners in connection with annuities, disability benefits, accidental death benefits, and industrial insurance policies issued in the District of Columbia by life insurance companies;

(2) To correct an unintended defect in existing laws relative to minimum nonforfeiture values on policies issued with supplemental term insurance riders; and

(3) To permit children's benefits provided by term insurance expiring before age 26 under so-called family plan policies to be disregarded in determining minimum nonforfeiture benefits.

HISTORY OF THE LEGISLATION

In 1948, Congress amended the Insurance Code for the District of Columbia by enacting what is commonly called the standard valuation and nonforfeiture legislation developed by the National Association of Insurance Commissioners and recommended for adoption in all of the States. This legislation provides for substantially uniform treatment throughout the United States in the requirements imposed upon life insurance companies in developing their policy reserves and nonforfeiture or cash values. In addition, the mechanism so devised permits modernization of the mortality tables as the National Association of Insurance Commissioners periodically restudies and approves and releases new tables reflecting improvements in the overall mortality of our population.

The results of these restudies have been considered and released piecemeal by the National Association of Insurance Commissioners. In 1960 Congress enacted Public Law 86-530, effective June 27, 1960, the primary purpose of which was to provide for the use of the new 1958 mortality table and extended term insurance table in connection with so-called ordinary life insurance policies. Use of the 1958 tables by life insurance companies is permissive since the enactment of the amendment and is mandatory after January 1, 1966.

In December 1961, the National Association of Insurance Commissioners recommended further to incorporate the new "Commissioners 1961 Standard Industrial Mortality Table" and the "Commissioners 1961 Extended Term Insurance Table."

These changes would amend sections of the Life Insurance Act for the District of Columbia which prescribe minimum nonforfeiture values and minimum valuation reserve bases for industrial life insurance policies by substituting more modern mortality tables used for those purposes in order to bring the mortality basis for these calculations up to date. The new tables resulted from a study of recent industrial life insurance mortality experience by the National Association of Insurance Commissioners with the cooperation of members of the life insurance business. A transition period until January 1, 1968, is provided, during which use of either the new or old tables is permissible. The changes are those made in December 1961 by the NAIC in its standard nonforfeiture and valuation laws.

The NAIC standard nonforfeiture and valuation laws are in effect in the District of Columbia for industrial life insurance policies. The mortality table now specified in these laws is the "1941 Standard Industrial Mortality Table." This table reflects the mortality experience of one of the principal life insurance companies for the years 1930-39.

In view of the substantial mortality improvement among industrial life insurance policyholders during the past two decades, there was general sentiment on the part of the insurance supervisory officials and the companies that a new mortality table was needed. Under the auspices of the NAIC, a new table was prepared combining the mortality experience of 18 leading industrial life insurance companies for the years 1954-59. The new table as officially adopted by the NAIC in December 1961 is designated as the "Commissioners 1961 Standard Industrial Mortality Table."

Along with the new industrial mortality table, the NAIC also adopted a new table to be known as the "Commissioners 1961 In-

dustrial Extended Term Insurance Table" for determining minimum extended terms for the extended term insurance nonforfeiture benefit. This latter table was constructed by adding a loading of 0.75 death per 1,000 or 30 percent of the 1961 CSI mortality rates, whichever was greater, to the 1961 CSI mortality rates in order to take account of both the higher mortality experience on extended term insurance benefit and the expense of maintaining the benefit in force. The provision for the new table is intended to replace the present provision permitting the use of mortality rates equal to 130 percent of the "1941 Standard Industrial Mortality Table" for computing the extended term insurance benefit.

The NAIC amendments to the standard laws also provide for a transition period by making use of the new industrial mortality tables discretionary for a life insurance company up to January 1, 1968, and mandatory thereafter. Since most companies do business in more than one State and some do business in all or nearly all States, it would be impractical for a company to begin to comply with the new requirements until it could do so in all States where it operates. It was felt that by fixing January 1, 1968, as the mandatory operative date that sufficient time was being afforded for all States to have adopted the changes. This timing is consistent with that provided with respect to the new tables for ordinary insurance under the 1960 amendments of the commissioners standard valuation and nonforfeiture legislation.

SUMMARY OF THE BILL

The changes proposed in section 1 of the bill are designed to allow the use of modern experience tables rather than the older tables now prescribed as minimum valuation standards for annuities, disability benefits, accidental death benefits, and industrial insurance policies.

Section 2 of the bill is intended to correct a defect in the existing CSO law which has been described as producing anomalous results in the case of nonforfeiture values of policies with term riders. Minimum values of such policies are different after the riders have expired than they would be if the riders had never been attached and the requirements of the law serve to limit the gross premium for the supplemental term coverage. This was not intended and it is proposed to correct this defect.

Section 2 also proposes a change in the standard nonforfeiture law affecting so-called family-plan policies. These, of course, were not in contemplation when the CSO legislation was originally drafted. The proposed change would permit disregarding term insurance on children expiring before age 26 in determining minimum nonforfeiture values. Such insurance is not required to have values if issued in a separate policy. The effect of the amendment on minimum nonforfeiture values of family policies is described as negligible. Adoption of the proposed changes would have practical value to companies in demonstrating that their nonforfeiture values comply with the law. This section also makes the use of the new industrial tables mandatory after January 1, 1968. In addition, section 2 makes the necessary changes in existing law to provide for use of the new industrial tables in the computation of present values of insurance policies.

The changes made by this bill, with the exception of the use of the newest Standard Industrial Mortality and Extended Term Insurance Tables, have been enacted into law in 39 States.

The Commissioners of the District of Columbia and the Superintendent of Insurance do not object to this bill, and its enactment will not result in additional expense for the District of Columbia government.

IMPLICATIONS OF CRISES RESOLUTIONS

Mr. MANSFIELD. Mr. President, the Baltimore Sun of September 16 contains an exceptional editorial on the Cuban situation and the implications of resolutions on this or other critical situations.

I commend the editorial to the Senate and, particularly, to the Members of the Committees on Foreign Relations and Armed Services. Whether one agrees or not with this analysis of the constitutional implications of crises-resolutions—and may I say that I am inclined to agree—it is nevertheless a most thoughtful treatment of this question. Moreover, it points out some of the limitations on the efficacy of congressional resolving on issues of foreign relations. Most of all, it emphasizes the need not to forget that it is the President who bears the great burdens, the great responsibilities in foreign relations, regardless of what the Congress may resolve or not resolve. We can help him if we adjust our verbal assertions to the awesome decisions which he alone must make.

Mr. President, I ask unanimous consent that the editorial be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Baltimore (Md.) Sun, Sept. 16, 1962]

RESOLVED TO BE RESOLVED

President Kennedy's attempt to exert a calming influence upon the natives—the natives of the United States—has been well received except by a few of the tribal chieftains. Senator GOLDWATER, for example, calls last Thursday's policy statement on Cuba a mere reiteration of a "do nothing" position. But the sound sense and forcefulness of the President's declaration have been generally persuasive with the public and with the Congress.

One reason for congressional acceptance is that Mr. Kennedy has agreed to the idea of a resolution expressing the Congress support of a firm attitude toward Cuba. The administration proposes a resolution to the effect that the President has the authority to take any action he may decide is necessary to safeguard the United States. Some of Mr. Kennedy's political opponents want what they believe would be a stronger assertion, saying in effect that the Congress is granting the President special authority to act.

Of the two, the first is much to be preferred. The second is actually not stronger but weaker, since it suggests strict limitations on a President's power to act in any emergency anywhere, until after the Congress has specifically given him permission in each case. But neither resolution is, in our opinion, necessary or even desirable. We find this business of crisis resolutions a highly dubious device.

It can be granted that in the present instance a congressional resolution has a certain value as domestic tactics, allowing Members of the Congress to say to themselves, and to the voters back home, that they have "done something" about Cuba. It can be granted that White House agreement to a resolution serves as another pill, mildly sedative, in Dr. Kennedy's careful treatment of a fever that was rising toward the point where it began to affect the country's head. But these advantages, we believe, are outweighed by the disadvantages of crisis resolutions as a practice.

What purpose do they serve? Will a Cuban resolution of either model tell Castro and Khrushchev anything the President's policy statement did not tell them? It will not. Did the Formosa resolution requested by Mr. Eisenhower in 1955, and granted to him, have any part in preventing a Chinese attack on Formosa and the Pescadores? It did not: all it did was to display a President's personal doubts about the extent of his powers. Rather, these resolutions disturbingly declare something that should need no declaring—that we are resolved to be resolved, determined to be determined, that as a people and a Congress we support the President of the United States on vital issues of the national safety. They view the national will as something to be talked about, not the inner, silent strength that it is. They protest too much.

A resolution on Cuba is in the works, and should shortly be passed in some form. We urge that, except under extraordinary circumstances of a sort we cannot foresee, the employment of this hollow and deceptive gimmick be thereafter discontinued.

ORDER FOR ADJOURNMENT TO 10 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate concludes its session this evening, it adjourn to meet at 10 o'clock tomorrow morning.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRADE EXPANSION ACT OF 1962

The Senate resumed the consideration of the bill (H.R. 11970) to promote the general welfare, foreign policy, and security of the United States through international trade agreements and through adjustment assistance to domestic industry, agriculture, and labor, and for other purposes.

Mr. MANSFIELD. Mr. President, what is the pending business?

The PRESIDING OFFICER. The pending business is the Trade Expansion Act of 1962.

Mr. GORE. Mr. President, the reciprocal trade program was inaugurated in 1934 under the enlightened leadership of President Franklin D. Roosevelt and Secretary of State Cordell Hull. At the time the program was initiated, our Nation's economy was still struggling to emerge from the depths of the great depression which had been brought on in part by the misguided protectionist philosophy contained in the Smoot-Hawley Tariff Act of 1930.

When the program was first enacted, and each time it has been extended in the intervening years, doubts and fears were expressed about the ability of the American economy to survive without the artificial protection of high tariff walls. But, Mr. President, these doubts and fears have proved to be unfounded. Our economy has made tremendous strides in the more than a quarter of a century during which our tariffs have been progressively reduced. We have continued to maintain a favorable balance of trade during years of peace and we have provided economic support for all free nations in global conflicts to defeat aggression.

I have confidence, Mr. President, in the ability of American industry to adjust and to compete. Indeed, an expansion of mutually advantageous reciprocal trade is an essential element for a growing economy. We must build on the successful record of the past by providing legislative authority for the President of the United States to meet changing conditions in a changing world.

Of course, the most significant development in the world economy is the emergence of the European Common Market, which is rapidly taking form more successfully than even its proponents dared publicly to predict. The Common Market, in my opinion, represents not only a challenge, but an opportunity for American business, if we but seize it. We must take steps to insure that the products of our industry and of our agriculture have continuing access to this expanding market and to others that are developing throughout the world.

The bill before the Senate is not perfect. Few measures of such scope and importance meet fully the criteria established by any one person or organization. But I think it is a good bill. It was reported unanimously from the Finance Committee. It would provide to the President the essential authority needed to negotiate in behalf of American industry and agriculture and, in my opinion, it provides safeguards which will reasonably protect the vital interest of the Nation's security and the Nation's economic strength.

After all the statements of economic philosophy have been made, Mr. President, we wind up with the simple truism that a nation cannot expect to sell unless it is willing to buy. Indeed, the Nation cannot long sell unless it does buy—trade being a two-way street. The overall objective of the bill is to enable us to sell more and more of the produce of our farms and the products of our industry. During the course of the debate we shall undoubtedly hear much about the jobs of American men and women which will be imperiled by the anticipated increase in imports that will result from tariff negotiations and agreements. I hope also, Mr. President, that those who voice these prophecies of doom will give consideration to the jobs that will be created by a further expansion of our exports and by the further processing and distribution of those things we receive in exchange.

I have stated that I have full confidence in the ability of American industry to meet whatever challenge may arise. And there will be challenges, Mr. President. We cannot meet these challenges by complacent reliance upon artificial protections and indirect subsidy in the form of tariff. The pressure of imports can have a healthy effect upon our economy. We must not forget that they provide a form of competition that benefits the American consumer. Then, too, imports will encourage modernization, improved efficiency, and new techniques which will assure continued U.S. leadership as the bastion of economic strength in a free world that must remain strong if it is to remain free.

Indeed, Mr. President, our economy cannot be strong without imports. Many imports are not only needed for a healthy U.S. economy, but are absolutely necessary for our economy. In order to finance these necessary imports, in the long run maintaining a satisfactory balance-of-payments position, it is necessary for the United States to export. This does not mean that no American industry under any conditions is deserving of tariff protection. This is not a 100 percent free-trade bill. Indeed, that is not the policy of the U.S. Government, nor has it ever been.

Mr. President, in my view the bill will give the President the necessary tools with which, through the aid of able assistants, to bargain and negotiate effectively for the promotion of mutually beneficial trade among the nations of the free world.

It is with pleasure that once again I not only support a renewal and extension of the reciprocal trade agreements program, but also raise my voice in an attempt to persuade other Senators to do likewise.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

[No. 255 Leg.]		
Aiken	Chavez	Robertson
Allott	Gore	Sparkman
Bartlett	Hayden	Talmadge
Beall	Hickey	Thurmond
Bennett	Hill	Wiley
Bible	Jordan, N.C.	Williams, Del.
Boggs	Kerr	Young, N. Dak.
Butler	Mansfield	Young, Ohio
Byrd, Va.	McGee	
Carlson	Randolph	

Mr. HUMPHREY. I announce that the Senator from North Dakota [Mr. BURDICK], the Senator from Nevada [Mr. CANNON], the Senator from Connecticut [Mr. DODD], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Montana [Mr. METCALF], the Senator from Utah [Mr. MOSS], the Senator from Maine [Mr. MUSKIE], the Senator from Oregon [Mrs. NEUBERGER], the Senator from Rhode Island [Mr. PASTORE], the Senator from Rhode Island [Mr. PELL], the Senator from Wisconsin [Mr. PROXMIRE], the Senator from Massachusetts [Mr. SMITH], and the Senator from New Jersey [Mr. WILLIAMS] are absent on official business.

I further announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Colorado [Mr. CARROLL], and the Senator from Alaska [Mr. GRUENING] are necessarily absent.

Mr. DIRKSEN. I announce that the Senator from South Dakota [Mr. BORRUM], the Senator from Indiana [Mr. CAPEHART], the Senator from New Jersey [Mr. CASE], the Senators from Kentucky [Mr. COOPER and Mr. MORTON], the Senators from New Hampshire [Mr. CORTON and Mr. MURPHY], the Senator from New York [Mr. JAVITS], the Senator from Idaho [Mr. JORDAN], the Senator from California [Mr. KUCHEL], the Senator from Kansas [Mr. PEARSON], the Senator from Massachusetts [Mr. SALTONSTALL], the Senator from Pennsylvania [Mr.

SCOTT], and the Senator from Texas [Mr. TOWER] are necessarily absent.

The PRESIDING OFFICER (Mr. HICKEY in the chair). A quorum is not present.

Mr. MANSFIELD. Mr. President, I move that the Sergeant At Arms be directed to request the presence of absent Senators.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

After a little delay Mr. BUSH, Mr. BYRD of West Virginia, Mr. CHURCH, Mr. CLARK, Mr. CURTIS, Mr. DIRKSEN, Mr. DOUGLAS, Mr. EASTLAND, Mr. ELLENDER, Mr. ENGLE, Mr. ERVIN, Mr. FONG, Mr. GOLDWATER, Mr. HART, Mr. HARTKE, Mr. HICKENLOOPER, Mr. HOLLAND, Mr. HRUSKA, Mr. HUMPHREY, Mr. JACKSON, Mr. JOHNSTON, Mr. KEATING, Mr. KEFAUVER, Mr. LAUSCHE, Mr. LONG of Missouri, Mr. LONG of Hawaii, Mr. LONG of Louisiana, Mr. MAGNUSON, Mr. MCCARTHY, Mr. MCCLELLAN, Mr. McNAMARA, Mr. MILLER, Mr. MONROE, Mr. MORSE, Mr. MUNDT, Mr. PROUTY, Mr. RUSSELL, Mr. SMATHERS, Mrs. SMITH of Maine, Mr. STENNIS, Mr. SYMINGTON and Mr. YARBOROUGH entered the Chamber and answered to their names.

The PRESIDING OFFICER. A quorum is present.

TRADE EXPANSION ACT OF 1962

The Senate resumed the consideration of the bill (H.R. 11970) to promote the general welfare, foreign policy, and security of the United States through international trade agreements and through adjustment assistance to domestic industry, agriculture, and labor, and for other purposes.

The PRESIDING OFFICER. The bill is open to further amendment.

CEREMONIES AT FIRST DAY ISSUANCE OF SPEAKER SAM RAYBURN COMMEMORATIVE STAMP, BONHAM, TEX.

Mr. YARBOROUGH. Mr. President, on September 16, 1962, the late Speaker Sam Rayburn was honored in commemorative exercises in Bonham, Tex., with the first issuance of the Sam Rayburn commemorative stamp.

A great throng of people gathered on the southwest steps of the Rayburn Memorial Library to participate in ceremonies honoring the greatest Speaker in the history of the United States.

I ask unanimous consent to have printed at this point in the RECORD the program of this historic occasion.

The PRESIDING OFFICER. Is there objection?

There being no objection, the program was ordered to be printed in the RECORD, as follows:

SAM RAYBURN STAMP COMMEMORATIVE PROGRAM, SEPTEMBER 16, 1962, SAM RAYBURN LIBRARY, BONHAM, TEX., 2:30 P.M.

Choice Moore, master of ceremonies.
National anthem: Bonham High School Band, James A. Taylor, director.

Invocation: The Reverend Jack Carson, pastor, First Baptist Church, Bonham, Tex.

Welcome and recognition of distinguished guests: Choice Moore.

Official proclamation of Sam Rayburn Library Day: Hon. Frank P. Lake, representing Governor of Texas.

Presentation of portraits: Mrs. Lily V. Leonard.

Speech of acceptance: Hon. Lloyd M. Bentsen, Jr.

Introduction of the Honorable RALPH YARBOROUGH, James A. Turman, speaker, Texas House of Representatives.

Address: Hon. RALPH YARBOROUGH, U.S. Senator.

Introduction of distinguished representatives of Post Office Department and introduction of the representative of the Postmaster General: W. M. McMillan, regional director, Post Office Department, Dallas, Tex.

Address: Mr. Frederick C. Belen, Assistant Postmaster General.

Remarks and introduction of the Vice President of the United States: Hon. RAY ROBERTS, Congressman, Fourth District of Texas.

Address: Hon. LYNDON JOHNSON, Vice President of the United States.

Benediction: Elder H. G. Ball, Tioga Primitive Baptist Church.

Preprogram music by Bonham High School Band, James A. Taylor, directing.

THE SAM RAYBURN STAMP

On the day of Speaker Sam Rayburn's death, November 16, 1961, the Citizens' Stamp Advisory Committee was meeting and immediately approved issuance of a Rayburn stamp. Postmaster General J. Edward Day made the announcement in a New York speech the following evening.

In the multicolor, vertical stamp, Sam Rayburn stands impressively before the Capitol dome. Graduated tones of brown and blue give the stamp a three-dimensional effect. It is 0.84 by 1.44 inches, printed on the Giori presses and issued in panes of 50. The initial printing was 120 million.

Robert L. Miller, of the Bureau of Engraving and Printing, designed the stamp, basing the portrait on a photograph appearing in House Document 247 of the 87th Congress, "The Leadership of Speaker Sam Rayburn." Portrait and vignette are by Charles A. Brooks, and lettering and numeral by William R. Burnell.

The commemorative stamps were first sold in Mr. Rayburn's hometown of Bonham, Tex., on September 16, 1962, the 22d anniversary of his election as Speaker of the House of Representatives, and in all other post offices of the Nation on September 17, 1962.

THE SAM RAYBURN LIBRARY

The Sam Rayburn Library is located at Bonham, Tex., near the home of the late Speaker. It is maintained and operated by the Sam Rayburn Library Foundation as a free public library. The foundation is now seeking to raise an endowment to enable it to create a major research center in political science, with supporting scholarships for students in that field of study. This, it is hoped, will be a permanent living memorial to Sam Rayburn. Members of the foundation board of trustees are R.M. McCleary, chairman; Buster Cole, Ray Manning, H. G. Dulaney, Mrs. John Palmore, Mrs. Joyce Rayburn Lightfoot, and Robert B. Anderson. An honorary member is H. A. Cunningham.

Mr. YARBOROUGH. Mr. President, I ask unanimous consent to have printed at this point in the RECORD the remarks of Hon. RAY ROBERTS, a Member of Congress from the Fourth District of Texas, at the commemorative program for Sam Rayburn, on September 16, at Bonham, Tex., with which Representative ROBERTS

introduced Vice President LYNDON B. JOHNSON.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

ADDRESS BY CONGRESSMAN ROBERTS OF TEXAS

Judge Moore, Mr. Vice President, Postmaster General Belen, Senator YARBOROUGH, Mr. Bentsen, Mrs. Bartley, Mrs. Thomas, and friends, we are gathered here to honor the memory of a great man.

Sam Rayburn walked among his friends with modesty and good fellowship, yet he stood tall among the statesmen of the world. His image as a true world leader grows with each passing day.

I am honored to stand in the edge of his reflection and to follow a few steps along the road which he chartered.

The nationwide and worldwide clamor for the stamp that is being issued today is coming not only from the collectors who realize that it will be a stamp of historic significance, but from people who have never saved a stamp in their lives. These are the people who shared our deep regard for the Speaker, Sam Rayburn—people who never had the opportunity, as you and I had, to know him personally, but admired him as a great American.

Always a man to shun personal publicity, he dismissed with gruff good will all public demonstrations in his behalf.

History only acknowledges modesty, though, and does not hesitate to reward greatness.

Even though Mr. Rayburn would have scoffed at the idea, as long as history of the United States is written, there will be an important chapter for Speaker Sam Rayburn.

As his successor as Congressman of this great Fourth District, it is an honor and a privilege to be here to pay tribute to his memory.

I feel a great sense of responsibility today. I am here to present a member of one of the most justly famous legislative teams in our history at a ceremony honoring the other member of the team.

For many years two names dominated the legislative scene. They were Speaker of the House Sam Rayburn and Senate Majority Leader LYNDON B. JOHNSON.

The luster that was attached to those names did not arise solely from legislative skill or political leadership. The Rayburn-Johnson combination was much more than that. It was, in fact, the symbol of responsible, patriotic leadership in which the long-range needs of our country are always to be placed above the temporary exigencies of party necessity.

The relationship between these two men was one which began long before the events which placed them on the national and international scene. The friendship of the late Speaker Rayburn with the Johnsons began with the Vice President's father and was one that continued throughout his life.

It was a relationship that was fortunate for the two men, because they found within each other mutual sources of strength in their common dedication to the service of their country. It was also a relationship which was fortunate for the country because between the two of them they demonstrated so that all could see that the American system was so strong it could survive the strains of heated partisanship and still maintain a common front against the enemies of freedom.

Both were men of humble beginnings. But both were also men of persistence and perseverance. Their close relationship continued even after LYNDON JOHNSON left the Senate to serve in the high office of Vice President of the United States, and in a real sense I think the relationship continues today because Sam Rayburn is a man who will never really leave us.

As a Texan, I am very proud that two of the most distinguished statesmen of our century have been Texans. And I am very proud of the honor that has been accorded to me today.

As our Vice President, LYNDON B. JOHNSON has established a record without parallel in our history. He has conducted delicate and difficult diplomatic negotiations in the far corners of the globe. He has been entrusted with sweeping responsibilities in the vital field of outer space. He has been assigned the task of assuring equal employment opportunity to the lowly who must have an advocate. He has been present in the highest councils of our Nation, where his voice has been heard in some of the most crucial decisions of our times.

It is my honor, it is my privilege, to present to you that great Texan and that great American, the Vice President of the United States, LYNDON B. JOHNSON.

Mr. YARBOROUGH. Mr. President, I ask unanimous consent to have printed in full at this point in the RECORD the remarks of Vice President LYNDON JOHNSON, long-time friend of Speaker Sam Rayburn, at the Sam Rayburn Commemorative Stamp Day in Bonham, Tex., September 16.

There being no objection, the remarks of Vice President JOHNSON were ordered to be printed in the RECORD, as follows:

ADDRESS BY VICE PRESIDENT LYNDON B. JOHNSON

A MAN TO REMEMBER

It is a privilege to be here with so many Texans, all of whom knew and loved Mr. Sam Rayburn, as the Post Office Department honors the Speaker with this commemorative stamp.

The real strength of a man can be determined by the way his works are carried on beyond his life and the manner in which his neighborhood honors his memory.

Bonham, Tex., was the Speaker's home; the House was his working place and his life, but the whole of the United States was his neighborhood.

EVIDENCE OF STEWARDSHIP

With us today we have the strongest evidence of the ties he made during his stewardship in our behalf.

The Post Office Department tells us that few first-day stamp issuances have created the interest that this one has.

The Sam Rayburn Foundation and its program of scholarships and fellowships for political science is making swift, steady strides toward a successful start.

His hometown friends, his home State friends, and his friends from all the other States stand ready to carry out his wishes in the foundation and at the museum here in Bonham.

GAVE EARLY PROMISE

Sam Rayburn gained the opportunity to use all of his many fine talents because the people of his home saw in him the raw elements of greatness that he developed to the finest degree.

From the earliest days of statehood, Texas has shown uncommonly good judgment in sending to Congress men who have had the ability and capacity for high national responsibility and it is my firm belief that the greatest of them all was Mr. Sam Rayburn.

Every day I am reminded that it is to my everlasting benefit that I had the great privilege of walking with him a considerable way down the road.

For the Speaker, the road ended last November 16. We miss him now very much. The country misses him.

But we can find wisdom and strength from the lessons he taught and the heritage he left.

RESPECT FOR PEOPLE

He taught responsibility. He put an example of devotion to country and dedication to duty. As he was never stampeded by pressure, he was never held back by fear. He sought always the public good rather than courting mere public approval. These are good things to remember.

But the heritage he left is a heritage of respect for the people which ought to be the hallmark of every public career.

There was never a person in the United States who couldn't see the Speaker. It caused consternation in his staff, but he made his own appointments, at times on the back of the first envelope he pulled from his pocket.

He read all of his own mail. He once told me: "When someone writes me on tablet paper with a lead pencil, I figure what he's writing about is pretty important to him."

TEXT FOR LEADERSHIP

The House of Representatives was his alpha and omega. Political writers for years to come will endeavor to analyze Mr. Rayburn who held sway over the House longer than any other mortal.

And they can turn to him for their text: "You can't really say how you lead. You feel your way, receptive to those rolling tides of sentiment. And if a man can't see and hear and feel, why then, of course, he's lost."

The Speaker could do all three. He was part of the good earth.

He furnished much of our straightforward thinking and talking. He was made in the same stalwart, forthright mold that marked our Nation's founders.

FAITH IN MAN

He was younger than most of us. What he disliked more than "old fogies," as he put it, was "young fogies."

He believes in staying always alert to new ways to serve social progress and human freedom.

In his last speech in the House—the day he doubled Henry Clay's record as Speaker—he stood in the well so familiar to him and said:

"I have so much faith in human beings. I know that people are good folks."

SERVANTS AND MASTERS

One evening, reminiscing with friends, he put it well. He recalled how good people always had been to him. He talked of Flag Springs, the little town in the old Fourth District where he attended a one-room school.

"All of us are just a little way from Flag Springs," he said. "You know I just missed being a tenant farmer by a gnat's heel."

Whether we come from San Antonio or McKinney, from Graham or Johnson City—each of us is "just a little way from Flag Springs." So long as we remembered that—so long as we remember that we in public life are only servants, that the people who send us here are the masters—then we shall be worthy of the trust vested in us and this Republic shall endure.

Mr. YARBOROUGH. Mr. President, I ask unanimous consent to have printed at this point in the RECORD the remarks of Frederick C. Belen, Assistant Postmaster General of the United States, at the Sam Rayburn commemorative stamp program in Bonham, Tex., yesterday.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

ADDRESS BY FREDERICK C. BELEN, ASSISTANT POSTMASTER GENERAL

The first U.S. postage stamps issued in 1847 bore the portraits of George Washington and Benjamin Franklin. Since that time, we in the postal service have been proud of our role in extending—on behalf

of our country—an honor symbolic of greatness, the issuance of new American postage stamps honoring many of our citizens.

One other man who won greatness as a Speaker of the House of Representatives of the United States—Henry Clay—has been honored on our stamps, and Mr. Clay of Kentucky served 8 years as Speaker—less than half the time served by Mr. Sam in the office regarded by many as the second highest in the land—next only to the Presidency.

Over the years we have issued postage stamps honoring many people in many fields—statesmen, artists, inventors and others.

Here today we pay tribute with a stamp to one man distinguished in many fields.

True, he was a distinguished legislator. For example—as I well know from my own association with him on Capitol Hill for a quarter century—he was the principal architect of the great legislative program of the Roosevelt era, having steered through the House the Truth in Securities Act, the Securities and Exchange Act, the Federal Communications Act, the Railroad Holding Company Act, the Public Utilities Holding Company Act, and the Rural Electrification Act.

However, such a title as prime legislative architect of our age does not do the man justice.

He was a humanitarian—a man of heart.

As President Kennedy said of him while he still served us: "Immeasurable . . . is your devotion to cause and country; and immeasurable is the respect, esteem, and affection which all of us who have served with you hold for you today."

We of the Post Office Department are proud of the Sam Rayburn stamp. Physically and technically, it is among the most distinctive stamps we have produced. Stamp collectors, in particular, will notice that the color tones in the stamp have been blended through an intricate and relatively new printing process developed by the Bureau of Engraving and Printing.

A number of earlier designs came off the drawing board, but were rejected by Postmaster General J. Edward Day. Finally, this fine design was selected. Every effort was made to produce a stamp that would live up to the man as a great "world" statesman.

So many thousands of people can truly say "Mr. Sam was my friend too." Most of my adult life has been spent on Capitol Hill and I, too, can say "Mr. Sam was my friend." In fact, when I was nominated for my present position a little over a year ago, he was the first man to send congratulations.

You people of Bonham, the citizens of Fannin County, those of the Fourth Congressional District of Texas, it was mostly you folks who knew him best.

You knew him. You knew him face to face. It was you people who gave him to all of us. And, today, the Nation thanks the people of this great State with this new postage stamp—for sending him to us.

Mr. YARBOROUGH. Mr. President, the Sam Rayburn 4-cent commemorative stamp is a beautiful stamp with a likeness of the late, beloved Sam Rayburn in the foreground in brown and with the U.S. Capitol Building in blue in the upper right in the background. The first day cover sales of the Sam Rayburn commemorative stamp have been predicted to place this stamp in the forefront of all commemorative issues in the history of this country.

Mr. President, I ask unanimous consent to have my remarks at the Sam Rayburn commemorative stamp program held at Bonham, Tex., on September 16, 1962, printed at this point in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

ADDRESS BY SENATOR RALPH YARBOROUGH

When Sam Rayburn left us here, 10 months ago today, and 22 years after he was first elected Speaker, 180 million Americans wept, and 3 Presidents stood on a cold hillside to honor a parliamentary leader whose likes they would not see again.

More than 74 of his 79 years were lived in Fannin County, among you, his relatives, friends and neighbors. You knew him best. His physical characteristics have been reproduced on these U.S. Government stamps, first offered to the people today here in his beloved Bonham for hundreds of millions to see and honor.

Beautiful is the artwork and faithful is the picture, but the real Sam Rayburn is pictured best on the hearts and minds of his neighbors. His image reflects the love you feel for a thousand acts of kindness that poured forth from his generous nature as freely as water flowed from the rock that Moses touched.

But if Sam Rayburn were here today, he would put a stop to all this.

He would look about him at this great crowd and say: "Who's keeping the store?"

Yet, I count it as one of the great honors of my life to be here, a part of this ceremony to honor a man whose dedication and ability made him one of the tallest Americans of them all.

He was a man who could chop wood and hoe cotton; a man who could raise the national prestige of the House of Representatives and advise eight Presidents; a man who could talk gently to a child, or push through tough legislation in a divided Congress to build a mighty army on the eve of war.

I'm proud to have been a Texan in Sam Rayburn's time; to have served in the U.S. Congress and to have known firsthand the true greatness of this man.

I'll tell you why I know Sam Rayburn was not a man to go seeking honors.

Last year, when Mr. Speaker left Washington for the last time to return to his beloved Bonham, with the advice, counsel and support of some of his closest friends, I introduced in the U.S. Senate a resolution to have a gold medal struck in recognition of his services to his country—his unparalleled services to his country.

On the following day, I received in Washington a telegram from Speaker Rayburn which I would like to read: "I hear by the radio that you have introduced a resolution to give me some kind of medal. I appreciate the friendship and generosity displayed by you in this matter, but I do trust that you do not try to pass such a resolution because I do not think that medals of this kind are appropriate for the living and if it passed, it would be embarrassing to me."

"I trust that you will, as usual, regard my wishes in this matter."

Fellow Americans, as almost everyone in Washington was accustomed to do, I respected his request. All work to get the medal resolution passed was halted, even though 50 Members of the U.S. Senate—in those few hours—signed as cosponsors of the resolution.

In January 1962 I returned from Texas to the new session of Congress, a session starting for the first time in 50 years without Sam Rayburn, and asked for passage of the resolution. Last Wednesday the resolution was passed by the Senate and the House in less than 3 hours in further tribute to the beloved Mr. Sam. It is to be signed by the President in a few days.

It will be a gold medal bearing a design yet to be chosen, and will go to the Rayburn estate, and probably ultimately will be placed in the library here. Thus it will return to

the people Sam Rayburn loved and served. Bronze copies of the medal will be made by the mint and sold to the public at cost.

We are saying, with these stamps and with this medal, to history and to the generations of public servants who are to follow us in the Congress that Sam Rayburn was a great example of the finest tradition of public service in the United States. He heard when the country called, and he knew how to respond. His legacy, his example of service devoted to his country, will be an inspiration to men and women, young and old, so long as his country lives and parliamentary government survives.

And thus it is with the stamp issued here today.

These are modest honors for a man whose stature will tower in history as it did in his lifetime. All of us here are privileged to live a part of his heritage to democracy.

What influences shaped this greatness? Two, heredity and environment—in simpler words—the good mind and sound body and examples of good character all around him in his family, and the sense of honor, steadfastness, and high purpose of the people among whom he grew to manhood. Sam Rayburn's life and character are an enlarged photograph of the lives, and the best hopes, ideals, and patriotism of the people of Fannin County.

FEDERAL ASSISTANCE TO AMERICAN CULTURAL ACTIVITIES

Mr. YARBOROUGH. Mr. President, recently I received a thoughtful statement by the distinguished Dr. Frank E. Vandiver, president of the department of history at Rice University, in Houston, Tex. In the letter he expresses the case for Federal assistance to American cultural activities.

Dr. Vandiver, scholar, educator, and author, is well qualified to express a viewpoint on this subject. Born in Austin, Tex., December 9, 1925, he was a Rockefeller fellow from 1946 to 1948, received his master's degree at the University of Texas in 1949, his doctorate at Tulane in 1951, and was a historian for the U.S. Civil Service in Alabama in 1951-52. He was an instructor of history at the University of Alabama for a time in 1952, and later served as instructor of history, and then as assistant professor at Washington University, in St. Louis.

Dr. Vandiver joined the staff of Rice University in 1955. He was a Guggenheim fellow from 1955 to 1956. He is the author of "Basic History of the Confederacy," 1962; "Jubal's Raid: General Early's Famous Attack on Washington in 1864," 1960; "Mighty Stonewall," 1957; "Plowshares Into Swords: Josiah Gorgas and the Confederate Ordnance"; "Rebel Brass: The Confederate Command System." He is also the author, in cooperation with William H. Nelson, of "Fields of Glory: An Illustrated Narrative of American Land Warfare," 1960, and is the editor of other works.

Dr. Vandiver is presently engaged in writing a biography of General Pershing, and recently he traveled to the Philippines and interviewed Emilio Aguinaldo.

This statement from Dr. Vandiver is addressed to the junior Senator from Rhode Island [Mr. PELL], chairman of the Subcommittee on the Arts, of the

Senate Committee on Labor and Public Welfare.

At the conclusion of his letter, Dr. Vandiver stated:

Without a counterpoise of art and humanism, science will lapse into barbarous technology. For this reason Government support of arts and letters is not wasteful; it is prudent patriotism.

This is a viewpoint deserving of the most serious consideration. I ask unanimous consent that Dr. Vandiver's statement be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

SEPTEMBER 4, 1962.

HON. CLAIBORNE PELL,
Chairman, Subcommittee on the Arts, Senate
Committee on Labor and Public Welfare,
U.S. Senate Office Building, Washington,
D.C.

MY DEAR SENATOR PELL: Mr. McClure has, I hope, told you of my varied efforts to reach Washington in time to appear before your Subcommittee on the Arts as a witness in the hearings concerning Federal assistance to American cultural activities. I deeply regret my inability to complete the trip, and avail myself of the opportunity which you graciously offered to submit a statement by mail.

Let me say at the outset that I am heartily in favor of Federal assistance to cultural activities in the United States. Such aid is, I think, vital to the continued health of art, literature, music, theater, sculpture—indeed to all creative and learned areas. Consequently I am in favor of the pending bills, S. 1250, "To establish the U.S. Arts Foundation," S. 785, "To establish a program of grants to States," and S. 741, "To provide for the establishment of a Federal Advisory Council on the Arts." But it seems to me that they should go further and specifically include literary art on a par with the visual and performing arts.

But I would like to do more than voice support for the present bills. The fact of their existence, the fact of a long and continuing discussion of Government's role in fostering creative and liberal arts, indicates structural weaknesses in the national cultural life. This weakness is largely caused, I think, by a warping dominance of one section of the country in virtually all artistic and humane endeavors. Eastern domination is about to result in American culture becoming standardized, typed along Madison Avenue-Broadway lines into the chrome-plated "shamism" so widely criticized abroad. More than that, this eastern domination is robbing America of an essential element in its culture—regionalism. The United States is too large to have a standardized national culture; myriad nationalities, sections, geographical areas all have something to add to the cultural pattern. Regionalism is a mainstay of American music, art, and letters. Regionalism will not flourish, of course, in a centralized atmosphere.

You have heard, I'm sure, that many artists, musicians, and writers fear Government assistance lest it grow into Government dictatorship. Although probably groundless, this fear is nonetheless real and must be considered in any proposed program of Federal encouragement. For this reason, local responsibility must be paramount in all efforts, and should do much to encourage regionalism.

I notice that through each of the three pending bills, a question persists as to just what the Government can do to help art, music, and letters without frightening their practitioners. Permit me to suggest that the creation of a U.S. Arts Foundation, or a

Federal Advisory Council on the Arts, or even donations to States will not answer the question. The proposed foundation will have to seek legitimate projects, presumably from the Advisory Council, but the Council might conceivably be composed of biased members whose advice ought to be ignored. Many States do not have either the interest or the money to participate in any comprehensive cultural development program.

Lack of public concern is perhaps the basic problem. And here the Government can make a vital contribution. In America culture in general is too often regarded as unimportant, "sissy," or possibly subversive in some inexplicable way. Artists, poets, writers, musicians, are frequently considered by their Calvinist contemporaries as drones, sponges on the workers of the country. They consume without giving anything in return. This attitude on the part of many Americans at home and abroad makes the rest of the world regard us as rich, gross barbarians. And this idea definitely hampers our attempt to persuade the world that our political perception is any more sophisticated than our artistic perception. Government encouragement of cultural activities can help change this attitude. Rewards, honors, concern for artists, writers, musicians, and poets will give prestige to their calling and dignity to their views. And something of the sort must be done if quality and high standards are to be maintained in the face of creeping Madison Avenueism, or, in modern parlance, in the face of "kitsch."

More than any other resource, it seems to me that our culture is an exportable item. Traveling exhibits, showing our modern art, models of our current architecture, touring theatrical groups, touring orchestras, itinerant lecturers—all of these help to show the health and strength of the American mind. Our greatest boast—and rightly so—is freedom of thought. There is no finer way to demonstrate this than to let the world see our artists and thinkers in action. The Government should certainly undertake to subsidize both foreign and domestic appearances and performances by artists and men of letters. I want to emphasize that domestic appearances are vital. Much of American culture is missed in the rural and isolated areas of the country. Too many Americans never have an opportunity to see a good play, hear good music, view an art exhibit, hear a stimulating talk. If our culture is to maintain its honesty, is to survive that current trend toward easy thinking and shoddy craftsmanship, it must draw strength from the whole Nation. To do that it must reach more people than it presently does.

Let me make a specific proposal, one which will, I hope, offer a means of stimulating all artistic and humanistic work, provide suitable national leadership for all cultural activities, afford dignity and honor to artists, writers, musicians, and preserve the essential regionalism. In brief, I respectfully urge the creation of a National Academy of Arts and Letters. This Academy might be patterned on the National Academy of Sciences, itself a Government-sponsored organization created during the administration of President Lincoln to serve as a scientific advisory body. The National Academy of Arts and Letters should be created for the same purpose—to serve as a national advisory body on cultural matters. Like the National Academy of Sciences, the Academy of Arts and Letters should be composed of members from all the performing and visual arts, and various elements of letters. These members should be grouped in sections, each of which would nominate its own members and overall membership in the Academy should be highly restricted. Election to the Academy would confer high distinction, since it would represent approval of an artist's or writer's peers.

The Academy could, it seems to me, perform all the functions of a Federal Advisory Council on the Arts; it could also, through the advice of its various sections, give direction and advice to State and local cultural programs. In addition, it could provide extremely competent judgment on projects, performers and institutions.

A fund should be provided, possibly through some organization like the National Science Foundation, from which the Academy of Arts and Letters could channel money to individuals and organizations to stimulate creative and humane work. This is absolutely essential, since it is discouragingly difficult for artists, musicians, and writers to obtain financial help in a scientific age.

There are objections to this sort of academy. Some fear that it might degenerate into a sort of cultural dictatorship, an aggregation of intellectual snobs. The National Academy of Sciences has not followed that pattern, and I see no reason why a sister academy should depart from precedent. The key, I think, lies in self-government of the Academy, in the election of members and officers and in national representation.

I can think of nothing the Government could do which would more effectively aid and support cultural activities the country over than to create the National Academy of Arts and Letters and provide funds for projects it might deem worthy of subsidy.

In conclusion, let me emphasize something which I think is too often forgotten in the present concern for science. I live in a section of the country, Houston, Tex., which is about to be transformed by the NASA Manned Space Craft Center. This Center has attracted to Houston and the Houston area tremendously able scientists. It is reemphasizing the importance of all scientific activities and has vitalized scientific research on local campuses. Unfortunately it is not attracting to Houston comparable minds in art, music, or letters. Nor is the emphasis on science producing a concurrent emphasis on the humanities. This is not, of course, a problem peculiar to Houston—it is a national problem.

Most of our attention is focused on science and what science can do for the future, and very little attention is directed toward what science is doing to our culture.

And yet a scientist at Rice University, the eminent Dr. William V. Houston, understands thoroughly that learning is really indivisible. In a recent article he said, "One may also observe that although the sphinx and the pyramids of Egypt survive as historical monuments, the methods of thought, the philosophies of life that grew up concurrently in Palestine and Greece are now so basic to our philosophy and our mental activity today that we rarely pause to remember their sources. Although the monuments are impressive, the pattern of thought is more fundamental. It may well be that, when the 25th century looks back on the 20th, our tremendous engineering achievements will be superseded and our multiplicity of gadgets obsolete, but the influential and persisting element of this century of science will be striking new ways of thinking about the physical world, in thinking about our relationship to it, and most fundamentally, of thinking about ourselves and of our relationship to the other human beings in it." In this article Dr. Houston recognizes that if we continue to pursue an understanding of physical nature, we must pursue also an understanding of man and man's intelligence and character. Without a counterpoise of art and humanism, science will lapse into barbarous technology. For this reason Government support of arts and letters is not wasteful; it is prudent patriotism.

Thank you for the privilege of submitting this statement.

Sincerely yours,

FRANK E. VANDIVER.

TRADE EXPANSION ACT OF 1962

The Senate resumed the consideration of the bill (H.R. 11970) to promote the general welfare, foreign policy, and security of the United States through international trade agreements and through adjustment assistance to domestic industry, agriculture, and labor, and for other purposes.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. WILLIAMS of Delaware. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call may be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I am informed that certain Senators have amendments to offer to the bill. I would hope they will come to the Senate and offer such amendments, so that the Senate can get down to the consideration of the pending business.

SOVIET NOW HAS CUBA

Mr. DIRKSEN. Mr. President, yesterday there was published in the Washington Sunday Star an article by William L. Ryan, a very competent correspondent for the Associated Press. This was a special item, under the title "Soviet Now Has Cuba; To Stay Unless Ejected," with the subtitle "Review of Tight Grip Produces Shock; Red Pros in Charge, Castro Due To Go."

This is one of the most informative and complete articles on the Cuban situation I have seen in quite some time. I ask unanimous consent that it may be included in its entirety as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SOVIET NOW HAS CUBA; TO STAY UNLESS EJECTED—REVIEW OF TIGHT GRIP PRODUCES SHOCK; RED PROS IN CHARGE, CASTRO DUE TO GO

(By William L. Ryan)

Moscow today just about owns Cuba—lock, stock, barrel and beard.

Inexorably, Soviet communism is closing its steel grip. Challenging the United States in the sensitive Caribbean and the Western Hemisphere, Moscow has given the world a lesson in imperialism.

When the Russians colonize, they colonize for good. Short of armed invasion, there seems little hope of prying the Communists out of a base 90 miles from U.S. shores.

The Soviet takeover will be complete when Fidel Castro is shoved aside, along with his 26th of July movement revolutionaries. This will be a slow and cautious process, but signs of party conflict are clear.

Daily, Mr. Castro appears more and more in the role of a bumbling and confused man,

loudly demanding everything his own way, but bowing to what he now calls the collective leadership. He has lost much popular support. Havana reports suggest only 20 percent of the people back him now. That is much more than the percentage backing the old guard Communists, but they do not need popular support. They have their tight, disciplined, spy-ridden organization—and they have Moscow on their side.

The Communists are patient. They can wait until popular disillusion and economic chaos make Mr. Castro no longer important. They are letting him shoulder the blame for Cuba's internal woes. They are letting his entourage of "New Communists"—men like Ernesto (Che) Guevara, Fidel's brother Raul Castro and others of his Sierra Maestre revolution following—hang themselves with ropes fashioned of their own confusion. The time will come when Mr. Castro can safely be removed.

A close examination of just how tightly the Soviet Communist grip has seized the pearl of the Antilles produces a sense of shock. From documents and official regime statements, and from reports of diplomatic travelers, this picture emerges of a Cuba as tightly bound to Moscow as is Bulgaria:

The rag-tag 26th of July army of bearded romantics who marched into Havana January 2, 1959, is no more. In its place is a force of about 300,000, made up of more than 50,000 trained regular and a heavily armed militia. The training is by Communist bloc officers. The equipment is modern. The discipline is strict and Soviet style. The facilities are installed and expanded by Russians and East Europeans.

Even now the army has political commissars, carbon copies of the "politruk" officers of east bloc armies, assigned to nail down party authority. One group of 750 "revolutionary instructors" was graduated this month from a special school and is being infused into the army. Mr. Castro says their mission is to "teach the class struggle character of the revolution" to the army.

Havana is ringed by military hardware, manned by Russians and Cubans. The Russians paid cash for former estates near Havana, and the belief is the areas will be used for antiaircraft batteries and rocket-launching site. Soviet radar, Russian-manned, checks all flights. Dozens of Soviet Mig fighters have been shipped in and the number may reach 200. Cubans are trained to use them. A parachute corps will be sent to Russia to complete training. And military equipment pours in, along with thousands of "technicians."

THE ECONOMY

Moscow owns the economy. Fantastic numbers of trucks, jeeps and other vehicles pour in from the Red bloc, each batch making Cuba more dependent upon Soviet petroleum shipments.

Imports for 1962 from the U.S.S.R. include: Wheat flour, cereal grains, edible oils, canned, frozen and cured meats, condensed milk, baby foods, rice, butter, lard, peas, canned fish, beans, potatoes, fertilizer, rayon and other textiles, superphosphates, trucks, jeeps, buses, tractors, a petroleum tanker, rice harvesters, machine tools, power shovels, graders, bulldozers, compressors, rolled steel, tinplate, steel pipes, cast iron, cardboard, raw materials for soap manufacture, cement, lubricants, ammonium nitrate and even containers for sugar.

Czechoslovakia is sending textile yarns, artificial leather, steel products, chemicals, glass, foodstuffs, newsprint, buses, tractors, trucks, and tow trucks, machinery and tools, diesel motors, electronic units. Red China sends soybeans, rice, canned meat, medicines. Hungary, Rumania, Bulgaria, and Poland send food. The bloc also sends swarms of technical assistants.

Cuba's sugar goes to the bloc in part payment. The sugar industry, always the back-

bone of the Cuban economy, is dominated completely by the Soviet bloc. Bloc equipment runs the refineries.

The island, therefore, now is practically wholly dependent on world communism. JUCEL, the regime's "coordination and inspection board," is a central plan body modeled on the Soviet Gosplan—state planning board.

AGRICULTURE

In a May 1961 speech to farmers, Prime Minister Castro ridiculed the idea that farms would be collectivized. He said: "The revolution would never do such a foolish thing. * * * Although this is a Socialist revolution, the land will not be socialized. * * * If a farmer prefers to keep his bit of land, then the revolution will never try to socialize it."

An agrarian reform law a year before had broken up big holdings for distribution. Peasants, in order to make any economic sense of their production, had to form co-operatives, especially in such fields as sugar, coffee, rice, and cattle raising. The number of co-operatives grew to 622.

As late as 2 months ago, Mr. Castro repeated the pledge against collectivization. Then he changed his mind—or it was changed for him.

Last month, he told a sugar cooperative conference that distribution of land to the peasants would mean destruction of the revolution. Nor was the cooperatives' idea practical, either. The answer had to be "people's farms"—a copy of the Soviet state farm idea in which the government owns the land and the peasant becomes a sort of farm-factory worker. There were already 300 "people's farms." Mr. Castro indicated the regime would collectivize all the cooperatives so that, in his words, the farmer would be a real proletarian and get rid of his instinctive impulse to own land.

As in other Communist lands, production quotas are laid down. Norms are set for cattle and livestock reproduction, and as in the other lands, the big drawback is that the cattle cannot read instructions. The economy is prey to all the ills that afflict other Communist agriculture.

LABOR

Regimentation is on the Soviet model. The workman is subject to production quotas. "Socialist emulation," the speedup device invented by Moscow, was formally introduced April 16. The speedup worker is known as distinguished worker.

The Cuban Workers Central directs 25 national unions and automatically approves what the regime orders. As in other Communist countries, it does not represent the labor force, but the state. Workers are subjected to lectures, work discipline, warnings about such things as a "formal bureaucratic attitude." They are punished for lateness or absenteeism. Directors are punished for failing to make quotas or for distorting figures.

Cards were issued August 15 to all workers over 18. The information about each worker took up 15 pages. Fourteen pages went into regime files. The workers got the 15th as his card. He cannot work without it.

Before the Castro era, few women in Cuba did heavy labor. Now they—along with workers, students and even aged people—are dragooned into "Socialist Sundays." They are supposed to be volunteers to save sugar crops. Women also cut hay, pick coffee and cotton and do other agricultural labor.

Mr. Castro announced a year ago plans for a system of "corrective labor" for prisoners, sounding much like the forced labor of other Red nations.

The regime constantly nags workers about greater production. There is even a board of "volunteers" supervising sports, called "Listo para Vencer" (Ready To Win). This copies the Soviet organization Gotov (Initials

standing for "Ready for Labor and Defense").

YOUTH

Cuba now has a Communist Youth Union, with the same cell structure which marks the Soviet Young Communist League (Komsomol). Its purpose, said Mr. Castro, is to "mold youth into a Communist attitude * * * war against intrigue * * * against gossip, against rumors behind the back * * * to correct errors of others."

There is an organization committee controlling all activities of students during both school and vacation time. It guards against absenteeism, watches student unions, mobilizes students for work in the fields, provides monitors to watch teachers, presides over sports and all student activities.

INTERNAL ENEMIES

All the ills of an emerging Communist regime afflict Cuba: shortages, hoarding, black marketing, clandestine slaughter of livestock. Those who complain are labeled "enemies of the people."

In a Catholic country, the regime goes slowly about cracking down on religion. Mr. Castro proclaims religious freedom, but church activities are curtailed and confined inside church buildings.

The regime carries on a gigantic indoctrination campaign. Hundreds of thousands of Communist manuals are distributed. Communist boss Blas Roca's "Fundamentals of Socialism in Cuba" was distributed in 700,000 copies—1 for each 10 or fewer persons.

THE APPARATUS

In prerevolutionary days, the Communists played ball with the Batista regime, entrenched themselves in the labor movement, and even opposed the 26th of July revolutionary movement. After the revolution, the Popular Socialist (Communist) Party was the only organized party allowed to operate. It infiltrated every department of the regime, up to the highest positions.

A year ago Mr. Castro announced—it seemed a bit reluctantly—all revolutionary organizations would be merged into one, the ORI (Integrated Revolutionary Organizations). This, he said, would eventually become the "united party of the Socialist revolution." The regime laid down plans for complete control of the economy and set up "committees of defense"—more than a half million strong. That meant 1 spy for every 12 Cubans, man, woman, and child.

The Communists now let it be known they regard the 26th of July movement as having been "the national liberation" phase, according to Khrushchev-era doctrine. The July 26 movement is defunct. The Communists hold that Cuba has entered a new stage of "building socialism." The ORI, for all practical purposes, already is the single party. Organization is going forward on the time-tested pyramid-cell basis, which assures central control. When the united party emerges formally, membership will be limited to "those who fulfill Leninist conditions."

There has been conflict between the wily old guard Communists and the so-called new Communists recruited from Mr. Castro's original followers. The old guarders, under Red Chieftain Blas Roca, leave little doubt they intend to rule. Mr. Roca holds a dominating position in the ORI, although posts in the secretariat have gone to Mr. Castro's bearded Communists of the "new" group.

Havana radio this spring admitted there had been a struggle, calling it "a battle which culminated in the dismissal of (Anibal) Escalante as secretary of the ORI." Mr. Escalante, an old line Communist, was expendable to avoid outward signs of internal conflict. He is now in Eastern Europe.

The fight arose over Mr. Castro's loud determination to be more equal than his sup-

posed equals in the collective. The old guard Communists have to live with him, since to many Cubans and Latin Americans he symbolizes national sovereignty. He is also the only man in the regime who commands any marked degree of loyalty.

THE OUTLOOK

On the surface, Mr. Castro still does not appear to have lost any of his authority, but that is only a surface appearance. The old guard Reds weave their power web carefully, move slowly. The time is approaching for the final phase of envelopment. When Mr. Castro's presence is no longer necessary, when he has taken all the blame for Cuba's economic disaster, he can safely be put aside, and that will be managed by men responsible to Moscow.

Right now, Blas Roca, Carlos Rodriguez and old guard Communists seem to be spending much of their time trying to outfox Mr. Castro. The bearded premier appears to flounder more and more in a morass of mixed-up ideology. Is he being insidiously undermined by the old guard? There is much evidence to suggest that he is, and he seems resentful.

A month ago, Mr. Castro addressed a congress of secondary school students and found himself embroiled in an incoherent wrangle with his audience. Mr. Castro had mentioned a revolutionary song in his speech and the students yelled demands that he sing it. Mr. Castro argued and cursed them obscenely.

"I don't know how to sing, I won't sing. That is final * * * it's impossible to speak here." He let out another string of profanity. There were "idiots" around, in spite of the revolution, he shouted.

Screams and laughter greeted his words. It was 8 minutes before the students could be quieted and Mr. Castro could get on with a rambling, sometimes incoherent talk. He may have been drunk—or he may have been confused and angered by the pressure of forces he did not fully understand, forces threatening him.

When Mr. Castro finally is shoved aside it will be small consolation for the United States. It will mean Moscow's domination is complete.

Mr. DIRKSEN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HARTKE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. RANDOLPH in the chair). Is there objection? The Chair hears none, and it is so ordered.

Mr. HARTKE. Mr. President, I yield to the Senator from Ohio.

URBAN MASS TRANSPORTATION ACT OF 1962

Mr. LAUSCHE. Mr. President, last week on the floor of the Senate the mass transportation bill was discussed. I opposed that bill.

I wish to call the attention of Senators to what the proposal has already done in Cleveland, Ohio. In Cleveland, Ohio, there is a publicly operated system, managed and directed by a transit board. The Cleveland Transit Board definitely had in mind building an extension of the transit system from downtown Cleveland to the Cleveland Airport. The plan was in the making and in the process of being executed. Then

came word from Washington that Congress might enact a law that would make available gifts of \$2 by the Federal Government for every \$1 put up by the local people for the improvement of mass transportation. As could have been expected, the Cleveland Transit Board, learning that a largess was to come from Washington, decided to postpone the development of their plan.

I now wish to read what was published by the Cleveland Plain Dealer with regard to the subject:

EXCUSES EXPLODED

When Allen J. Lowe and Charles P. Lucas recently switched their position on carrying through with their proposal to extend the CTS rapid transit to the airport, we indignantly demanded the real reasons for their switch.

So far they have given none.

Not only that, but the feeble excuses which Lowe gave at the meeting have broken down.

Lowe said that he was pinning his hopes for financing the CTS part of the project on the Federal transit subsidy bill.

This multimillion-dollar grab bag is another attempt by the Federal handout kings to invade the field of local authority and to load us with new mountains of debt.

Even if the thing should lamentably be passed there's no promise that Cleveland would get allocations from it. Every large city in the country will be at the trough for the gravy if transit subsidies ever are poured out.

The malignancy of the Federal subsidy system, whether subsidies actually are given or not, is seen in what has happened here. The mere talk of a possible handout is used as an argument against doing something locally that should be handled locally.

Lowe's other explanation for his switch, in which fellow CTS Board Member Lucas followed, was that until 1970 the CTS couldn't have enough funds for its part of the extension costs, even with the special economies that they had supported earlier. But he admitted last week that he had forgotten that the CTS could help its financing through equipment trust certificates.

Again we call for a rescinding by Lucas and Lowe of their September 6 action so they can put the rapid transit extension back on the track.

The editorial clearly and properly describes what the ultimate impact of the proposed Federal handout will be. Here is a community that contemplated the extension of its rapid transit system without Federal aid. They were in the process of going forward. A plan had been developed. The objective sought was clearly in mind. But along comes the Federal Government with the proposal: "We will give you money for which you will have to pay nothing."

What do Senators expect the transit board to do? Perhaps the board could have risen to high patriotic levels by saying to those in authority in Washington, "We will not ask for your largess. We will build the system ourselves."

But two of the members of the board thought that it would be best for Cleveland and the country to wait, thus giving encouragement to the Federal Government to begin the proposed new plan of buying buses, trolleys, and terminals for every crossroad community in the United States.

Where will it lead? If the Federal Government intends to give money to governmental bodies for the develop-

ment of their transportation systems, in my judgment there will be only one end, and that is Federal governmental ownership of the system.

What a frightening, dampening, depressing impact. Here are people who wish to be independent. They wish to solve their own problems and to do things in the true American way. They are dissuaded from following that course by the bait held dangling by the U.S. Congress and the administration. They are told, "Do not be independent. Do not be self-reliant. Wait and the Federal Government will give you things for nothing."

How can we compare that philosophy with the philosophy of the men who, 175 years ago, on the 17th day of September, wrote the Constitution of the United States?

Did they contemplate this policy of largesse and gifts by our Government? Were they cringing persons who depended upon gifts, or were they courageous individualists who believed in the free enterprise system and that our Nation would triumph, and that the welfare of our people would be promoted?

The questions answer themselves.

What we are doing today is in complete conflict with everything that was done by those men who signed the Constitution on September 17, 1787.

I regret that this is happening in my city of Cleveland, but I am pleased to note that the chairman of the Cleveland Transit Board has announced his willingness to appear before the Committee on Commerce and there to oppose the bill.

A "chocolate drop" was held out. It is sweet on the outside, but within there is poison—poison to our system. It will be swallowed by many. They will take it with great glee, but the ultimate price to be paid, in my judgment, eventually will be a loss of every right and liberty that our forefathers had in mind 175 years ago when they signed the Constitution.

TRADE EXPANSION ACT OF 1962

The Senate resumed the consideration of the bill (H.R. 11970) to promote the general welfare, foreign policy, and security of the United States through international trade agreements and through adjustment assistance to domestic industry, agriculture, and labor, and for other purposes.

Mr. HARTKE. Mr. President, I rise today to call to the attention of the Senate that soon this body will have the opportunity to vote on the Trade Adjustment Act of 1962. This measure generally is just referred to as the trade bill.

To call it the Trade Adjustment Act of 1962 is truly an appropriate name for it is an adjustment in every true sense of the word. It means that America is adjusting its thinking to modern day living, and is looking to the future for her people to insure more jobs, more business, and a stronger all-around economy.

I should like to point out, Mr. President, that some of the ideas in this Trade Adjustment Act proposal are not necessarily new, in that recommendations were made in March 1960, when the

Special Committee on Unemployment Problems submitted its report to the Senate. This committee, of which I was proud to serve as a member, was chaired so ably by my distinguished colleague from Minnesota [Mr. McCARTHY]. One of the aspects of the Trade Adjustment Act of 1962 which some have widely discussed with possible apprehension is the adjustment assistance section of the bill.

I point out at this time that if it had not been for the able cooperation of the distinguished Senator from Tennessee [Mr. GORE] that this section probably would have been stricken from the bill. The administration owes him a special vote of gratitude and commendation because I know the struggle he went through in order to make it possible to report the bill in its present form.

Mr. GORE. Mr. President, will the Senator yield?

Mr. HARTKE. I am happy to yield.

Mr. GORE. Mr. President, I am indeed grateful for the generosity of my friend the able Senator from Indiana. As the Senator knows, in general I have been in full and strong support of the Kennedy administration in the field of foreign policy, in the field of international economics, and in the field of mutual assistance with our allies and friends of the free world.

Upon occasion, conscientious conviction has led me into opposition to the position of the administration on domestic affairs. Perhaps it is in recollection of some of these events that my distinguished friend now expresses this gratitude for my cooperation in this case. I appreciate it very much. I thank him.

Mr. HARTKE. I say this in full recognition of the manner in which the Senator conducts himself not only in committee, but also on the floor of the Senate in protecting the rights of the people of the United States in every aspect and on every subject of legislation.

I know that the President of the United States appreciates the fine cooperation of the Senator, and realizes that in this case the Trade Adjustment Act of 1962 would not have reached the floor in its present form if it had not been for the singular cooperation of the distinguished Senator from Tennessee.

I have no apprehension about this part of the bill. Our Special Committee on Unemployment Problems made this same recommendation in 1960—during the 2d session of the 86th Congress—and I quote from the committee report, page 124, No. 6(b):

Enactment of adjustment legislation to relieve the impact of international trade policies on employees, business, and communities adversely affected.

I am proud that the authors of the Trade Adjustment Act of 1962 have seen fit to incorporate the Special Committee on Unemployment Problems recommendation, for the adjustment assistance section of the Trade Adjustment Act does just this.

In his testimony before the House Ways and Means Committee and like testimony before the Senate Finance Committee, the Honorable Luther Hodges, our able and distinguished Sec-

retary of Commerce stated during the House hearings:

I have explained why I do not expect many firms or workers to be adversely affected by trade agreements negotiated under the Trade Expansion Act. But realism requires that we be prepared for local instances in which firms or workers suffer hardship as a result of increased imports.

The Federal Government has a special responsibility to such firms and workers. For their hardship can be directly traced to a specific action undertaken by the Government for the good of all—the lowering of trade restrictions in order to open up new markets for our goods abroad. As the President has said, no industry or work force should be made a sacrificial victim for the benefit of the national welfare. No small group of firms and workers should be made to bear the full burden of the costs of a program whose great benefits enrich the Nation as a whole.

Tariff relief is not always a satisfactory or sufficient remedy for the import problem. I believe that trade adjustment assistance can and will be a most effective, supplementary device. Tariff relief without positive action may protect an inefficient company that cannot compete. Escape-clause relief should be only a short-term remedy, used only in extraordinary circumstances to allow time for adjustments to foreign competition. Adjustment assistance is designed to help firms to adjust on a more permanent basis.

Further, Mr. President, Hon. Arthur J. Goldberg, former Secretary of Labor, accompanied by the Honorable W. Willard Wirtz, testified as to the need and the reasons for the adjustment assistance phase of the Trade Adjustment Act. In his testimony before the House Ways and Means Committee—hearings before the House Ways and Means Committee, 87th Congress, 2d session, on H.R. 9900, part II, page 726—Secretary Goldberg said:

The reasons for proposing a trade adjustment assistance program: The United States has traditionally recognized that some protection should be given to American firms and workers who are faced with serious import competition. However, until now that protection has been exclusively supplied by tariffs or other import restrictions which had the effect of restricting foreign competition and generally subsidizing inefficient domestic producers.

There are situations where such restrictions are still appropriate. As Secretary Hodges and Under Secretary Ball have testified, the proposed act retains these traditional protective features—the reservation of items from tariff negotiations, the adjustment of imports which threaten national security, and where no other solution is possible, the increase or imposition of duties or restrictions on imports which are found to be causing or threaten to cause serious injury to an industry.

However, such features are no longer adequate as the only or even primary means of responding to import competition. They are inadequate because they do not provide sufficient flexibility in adjusting to changing patterns of international trade. The United States needs the means to assist American firms and workers to adjust to the competition they face. Only in this way can our trade continue to grow to the maximum advantage of ourselves and our trading partners. Only in this way can we adequately assist those Americans who find themselves unable to compete with imports.

The Trade Expansion Act of 1962 would provide the necessary means to assist firms and workers to adjust to import competition. Let me emphasize that such adjustment does

not necessarily mean a change of jobs or line of production. It may mean simply increased efficiency or skill in one's present work or business so that foreign competition can be met in the marketplace and not shut off at the port of entry.

Let me also emphasize that the President's program will not involve the creation of a vast Government bureaucracy. To a great extent it will utilize the services and facilities of existing programs and agencies throughout the Federal establishment as well as State agencies. Moreover, it will not be a program of permanent Government paternalism. It will be, instead, as the President has stated, "a program to afford time for American adaptability and American resiliency to assert themselves."

The importance attached to affording time for change is illustrated by one of the most significant of the adjustment features—the "staging" requirement contained in section 243. Under this section, in order to enable American firms and workers to adjust to the effects of reductions or elimination of duties or other import restrictions, such reductions or eliminations would be put into effect at a rate no greater than that of equal annual installments over a 5-year period.

As I have indicated, the overall effects of our expanded trade policy will benefit American workers. However, its immediate effects on some industries, firms, and workers may be adverse. Some workers may lose their jobs, and for some of these, their hope of re-employment may depend on their acquiring a new skill, or changing to another industry; some may even have to move to a different location. This occurrence, however, is common in our competitive economy.

We do not expect that many workers will lose their jobs because of tariff concessions in the years ahead. The gradualness with which such concessions will be put into effect will greatly minimize any displacement. While our estimates are quite rough, we believe that an average of less than 18,000 per year would be laid off because of increased imports in the 5 years of the proposed bill's operation. In this connection it must be remembered that increased numbers of workers will find employment due to new export opportunities opened up by the new legislation.

It should be noted that these numbers include not only those who will be affected by tariff concessions under the proposed bill but a substantial percentage who will be affected by concessions already granted.

It should also be recognized that this estimate of the average number who will be adversely affected by imports is only two and one-half one-hundredths of 1 percent of the labor force.

Small as this number is, the problems can be serious for some of the individuals affected. Since their problems will have been precipitated by a positive Government policy taken in the national interest, the Government's obligation to assist them is clear.

One of the best ways to help workers who have lost their jobs, who have been put on a part-time basis, or who are threatened with total or partial unemployment is to assist their employer in order that he can fully employ them once again. Only in this way can the seniority, pension, and other accumulated job benefits of workers be fully protected.

Mr. President, I should like to add that the Department of Labor and Department of Commerce have estimated that for every billion dollars in export trade by the United States, 150,000 additional jobs will be provided in this country. With the life of this act at 5 years, assuming that we only export \$1 billion each year—there may be more, of course—this would mean 750,000 jobs in

5 years. However, this does not include the extraneous side jobs brought about indirectly by export trade, as to which there is no way to estimate the affect they will have on decreasing the number of unemployed.

Mr. President, many other facets of the Trade Adjustment Act of 1962 are worthy of discussion, but we will consider these in time as the debate on the bill progresses in the Senate. I merely point out that "adjustment assistance," as referred to in the bill, is the result of the adoption of a special committee's recommendation. Having served on the special committee, I know the recommendation to be valid; and to have it made a part of the Trade Adjustment Act of 1962 will be a giant step forward in America's economy and will result in the elimination from the American scene of more of her unemployed people.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

[No. 256 Leg.]

Bartlett	Gore	Miller
Beall	Hart	Monroney
Bennett	Hartke	Randolph
Bible	Hayden	Smith, Maine
Bush	Hickenlooper	Sparkman
Byrd, W. Va.	Hickey	Stennis
Carlson	Hill	Talmadge
Chavez	Hruska	Wiley
Church	Jordan, N.C.	Williams, Del.
Dirksen	Kefauver	Yarborough
Ellender	Kerr	Young, N. Dak.
Engle	Mansfield	Young, Ohio
Fong	McGee	
Goldwater	McNamara	

The PRESIDING OFFICER. A quorum is not present.

Mr. MANSFIELD. Mr. President, I move that the Sergeant at Arms be instructed to request the attendance of absent Senators.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

After a little delay Mr. AIKEN, Mr. ALLOTT, Mr. BOGGS, Mr. BUTLER, Mr. BYRD of Virginia, Mr. CLARK, Mr. CURTIS, Mr. DOUGLAS, Mr. EASTLAND, Mr. ERVIN, Mr. HOLLAND, Mr. HUMPHREY, Mr. JACKSON, Mr. JOHNSTON, Mr. KEATING, Mr. LAUSCHE, Mr. LONG of Missouri, Mr. LONG of Hawaii, Mr. LONG of Louisiana, Mr. MAGNUSON, Mr. MCCARTHY, Mr. MCCLELLAN, Mr. MORSE, Mr. MUNDT, Mr. PROUTY, Mr. ROBERTSON, Mr. RUSSELL, Mr. SMATHERS, Mr. SYMINGTON, and Mr. THURMOND entered the Chamber and answered to their names.

The PRESIDING OFFICER (Mr. HICKEY in the chair). A quorum is present.

Mr. MANSFIELD. Mr. President, as there seems to be no further amendment to be offered, I ask for the third reading.

LEAVE OF ABSENCE

Mr. DIRKSEN. Mr. President, the distinguished Senator from Colorado [Mr. ALLOTT] has been appointed a representative to the United Nations. He will undertake his functions today, Tuesday, and Wednesday. I therefore

ask that he be given official leave of the Senate.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

TRANSPORTATION LEGISLATION

Mr. CARLSON. Mr. President, the Arkansas City Chamber of Commerce wrote me under date of September 11 expressing its views in regard to Senate bills 3242 and 3243.

I ask unanimous consent that the letter be made a part of these remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE ARKANSAS CITY CHAMBER OF COMMERCE,

Arkansas City, Kans., September 11, 1962.
FRANK CARLSON,
New Senate Office Building,
Washington, D.C.

DEAR SIR: Please refer to our resolution of July 17, 1962, supporting Senate bills 3242 and 3243. Subsequent our action the industrial members our traffic committee recorded objections to this proposed transportation legislation and requested we rescind our support and to also record our objections there-to.

1. Object to new paragraph 23 amending section 1 of Interstate Commerce Act to exempt rail carriers from minimum rate regulation for transportation of bulk farm commodities, etc.

2. Removal of Interstate Commerce Commission's jurisdiction from carriers minimum rate establishments could be ruinous to local grain, flour and meatpacking industries.

3. Irreparable damage might be suffered by shippers, carriers, and localities before corrective steps could be taken under anti-trust laws.

4. This legislation is not in the public interest since only a minimum of protection is afforded the shipping public.

5. To further extend deregulation can only enlarge the area for discriminatory practices.

We request corrective entry be made in CONGRESSIONAL RECORD withdrawing our support of this proposed transportation legislation, and the reasons therefor.

H. P. GIBSON, Manager.

PROTECTIONISM

Mr. WILLIAMS of Delaware. Mr. President, recently the New York Times published an editorial entitled "Protectionism Has Had Its Day." Thereafter the Senator from Connecticut [Mr. BUSH] wrote a very excellent reply to the editorial. I ask unanimous consent that both the editorial and the reply of the Senator from Connecticut be printed in the body of the RECORD at this point in my remarks.

There being no objection, the editorial and the letter to the editor were ordered to be printed in the RECORD, as follows:

PROTECTIONISM HAS HAD ITS DAY

The protectionists are mounting a desperate last-ditch stand against the administration's proposed Trade Expansion Act, which is being considered in the Senate Finance Committee before going to the Senate itself. They have chosen their battleground well, for the Senate is traditionally sensitive to protectionist pressure, particularly in election years.

There is nothing particularly subtle about the strategy being employed by opponents of the trade bill. They are appealing to Senators from areas that might be hurt by

trade expansion. They recognize that an outright defeat of the measure is beyond their powers, so they are in favor of a compromise that would undercut the basic purposes of the bill.

The President's ability to obtain concessions from abroad will of course be severely curtailed if protection is granted to specific domestic industries. By the same token, trade will be reduced if the protectionists are successful in killing off "adjustment assistance" for plants and workers, which is being attacked as a device to permanently enlarge Government activities.

Inevitably, trade expansion will bring hardships. The provision of adjustment assistance, however, will cushion the shock. But it is not to be a permanent subsidy, nor will it protect the inefficient. On the contrary, it is aimed at increasing the competitiveness of industry and enhancing the technical skills of labor. In the long run, this will contribute to trade expansion.

Reform of our antiquated tariff structure, like tax reform, is long overdue. Trade cannot expand, nor can American industry maintain its competitive strength by resorting any longer to protectionist measures. An efficient and growing economy depends on accepting the disciplines imposed by competition. Though gaining access to world markets will not by itself guarantee growth, any other course, particularly artificial protectionist barriers, would be a deterrent.

Protectionism has had its day; but the protectionists, who are unwilling to face the challenge of foreign competition, will go on fighting until they are decisively defeated. This is what the Senate can accomplish by rejecting any compromise that would curtail the President's bargaining authority. For what is at stake is not only expanding trade, but strengthening the competitive position of the American economy.

BUSH ASSESSES TRADE ACT

To the Editor of the New York Times:

I was interested in your editorial of September 11 "Protectionism Has Had Its Day," and suggest it is not a fair appraisal of the current situation.

As a former member of the Randall Commission in 1953-54 and as one Senator who has consistently supported the Trade Agreements Act and its extensions heretofore, I must point out that protectionism has not had its day, but, unfortunately, is flourishing by action of the Kennedy administration on a highly discriminatory basis.

In an effort to rally support for the bill, the administration appears to have assured protection to the petroleum industry. It accepted substantial increases in protection for the glass and carpet industries as recommended by the Tariff Commission. It approves extreme protectionism for agriculture. It evidently intends to continue protection for lead and zinc.

DISARMING OPPOSITION

The politically powerful textile industry, greatly disturbed by the recent decision of the Tariff Commission, now appears to be negotiating with the administration for some sort of agreement for additional protection, in order to disarm its opposition to the pending Trade Expansion Act.

In contrast, small industries are discriminated against. The poor little pin industry, consisting of about four companies who manufacture all the pins in the United States, received favorable recommendations for relief from the Tariff Commission, but this was denied by the administration.

It will be interesting to see in the coming weeks what attitude the administration takes with respect to protection for lumber and shoes.

If the administration is not to abandon the "no injury" policy adopted by Secretary Hull and approved by Presidents Roosevelt, Truman, and Eisenhower, the "no injury"

policy should be available to the defenseless as well as those who have strong political influence.

Your editorial criticizes those who seek equality in safeguards for all industry under the pending Trade Expansion Act, but fails to recognize that the political price of getting this act on the books will be the extension of solid protection on a highly discriminatory basis to strong and powerful segments of American commerce, industry, and agriculture.

PROTECTING THE STRONG

The amendments which I have introduced to this pending measure are designed to provide equal justice under law. Unless and until we are ready to abandon protectionism entirely, I think it unfair to discriminate sharply in favor of politically powerful groups and against weaker groups, particularly in the manufacturing business.

Implicit in title 3 of this bill, dealing with so-called adjustment assistance, is the intention of the administration to permit serious injury to large segments of American industry and large groups of American workers. Extraordinary and discriminatory provisions are made for helping these victims.

Particularly objectionable is the treatment accorded workers disemployed by imports under the bill. This group will be afforded special doles, special training and special expense money not accorded to that 5.8 percent of the work force who are unemployed for other reasons. Why discriminate between the unemployed? This seems unnecessarily harsh and cruel to the 4 million persons unemployed for other reasons beyond their control.

PRESCOTT BUSH,

U.S. Senator From Connecticut.

WASHINGTON, September 12, 1962.

TRADE EXPANSION ACT OF 1962

The Senate resumed the consideration of the bill (H.R. 11970) to promote the general welfare, foreign policy, and security of the United States through international trade agreements and through adjustment assistance to domestic industry, agriculture, and labor, and for other purposes.

The PRESIDING OFFICER. The bill is open for amendment.

Mr. MANSFIELD. I ask for the third reading. The performance by the Senate today is most disheartening. The Senate has been in session since 10 o'clock this morning. There have been quorum calls on seven or eight occasions. Finally, after great effort, we were barely able to get a quorum on two occasions.

There is before the Senate the most important bill of the 87th Congress. We have heard talk about amendments, but no amendments are being offered.

The Senate is not showing itself in a very good light by the way it is conducting the affairs of the Nation. I realize that under the orders of the Senate two committees are meeting. The members of those two committees can be excused from attendance, because they are carrying out their duties. On the other hand, it seems to me that too many Senators believe that another Senator will be present and will look after his business and the business of the Senate, and in that way take advantage of a situation such as exists now on the floor of the Senate.

Mr. President, this is not Saturday. This is Monday. If Senators were pres-

ent and working together, there would be a reasonably good chance of adjourning sine die 2 weeks from this Saturday. However, if the Senate is to operate in this fashion, all I can say is we might as well expect to remain in session well into November, because no one will transact the business of the Senate if we do not do it ourselves.

To take care of the situation with which we are faced, I now move that the Senate stand in adjournment until 10 o'clock tomorrow morning.

Mr. BUSH. Mr. President, will the Senator withhold his motion for a moment?

Mr. MANSFIELD. I will, reluctantly.

Mr. DIRKSEN. Mr. President, I can fully understand the rather difficult and awkward situation in which the majority leader finds himself.

Mr. MANSFIELD. Both of us.

Mr. DIRKSEN. In which I find myself also. I quite agree. There is a responsibility to move the Senate along, particularly on important legislation.

However, there are some things that ought to be said by way of comment on the situation that confronts the Senate. First, the pending bill was reported late last week. I am confident that the final text was not available to a good many Senators who had amendments to submit. In final form, the paging and paragraphing were quite different. In the case of the distinguished Senator from Connecticut [Mr. BUSH], I know that he had to recast the amendments he intended to offer in order to make sure that they were proposed for insertion at the proper place in the bill. I believe that an equivalent situation confronted the distinguished occupant of the chair [Mr. HICKEY], who also has amendments which he proposes to offer.

Certainly that can be said by way of extenuation for not offering amendments at this time. They must be inserted at the proper place and also must be properly prepared and presented.

For that reason I can see an extenuation of circumstances which does in fact mitigate the feeling entertained by the distinguished majority leader and myself.

Mr. BUSH. Mr. President, will the Senator yield?

Mr. MANSFIELD. Yes; but first I should like to respond to the comments of the distinguished minority leader.

The bill was reported on Friday. The staff of the committee worked Friday night, Saturday night, and Sunday night to have the bill ready for consideration by the Senate, and to place the hearings on the desk of each Senator. I do not know what more could have been done.

The chairman of the committee, the distinguished senior Senator from Virginia [Mr. BYRD] was here bright and early this morning, as always, to lead off the debate, in advocacy of the passage of the bill.

To me, it was not very heartening to see what has been referred to as the most deliberative body in the world—and I am afraid that all too often that is what it is—make a spectacle of itself so far as concerns the most important piece

of proposed legislation to come before the Senate at this session.

Some 39 Senators are running for reelection. Do they want the Senate to remain in session until November 6 or 7, the day of election? I do not care. I am not running for reelection this year. But I think we ought to consider the interests of all Senators; and the only way we can do so is by being on the job and doing what we are paid to do; namely, to look after the Nation's interests and to consider important legislation when it is before us.

I yield to the Senator from Connecticut.

Mr. BUSH. Mr. President, I sympathize very much with the mood of disenchantment of the majority leader concerning the Senate at this time.

Mr. MANSFIELD. It is nothing new, let me tell the Senator from Connecticut.

Mr. BUSH. I fully sympathize with him. I think he is justified in being quite upset.

Speaking for myself, I disassociate myself with any attempt to stall or delay the proceedings.

Mr. MANSFIELD. No one has used the words "stall" or "delay."

Mr. BUSH. I did not say they had been used. I used them because I wish to make it clear, in view of what I am about to say next, that I am not in that kind of mood; I am very desirous of facilitating the business of the Senate.

I was not in the Chamber early this morning because I was in attendance at a joint meeting of the Committee on Armed Services and the Committee on Foreign Relations, where a resolution of which I am a joint sponsor with the distinguished junior Senator from New York [Mr. KEATING] was to be considered. The Senator from New York was to testify in favor of our cosponsored resolution, and I felt it necessary to be present.

I should like to ask the majority leader a question. If the Senate adjourns now, how will it be possible for me to submit amendments to the trade bill? We are working hard on them.

Mr. MANSFIELD. Mr. President, I am delighted to ask unanimous consent that any Senator may submit any amendment he wishes to submit between now and tomorrow morning, when the Senate will reconvene.

Mr. BUSH. The point is: Will they be printed and be lying on the desk of each Senator when the debate on the bill opens?

Mr. MANSFIELD. That can be done.

Mr. BUSH. Mr. President, one more question with respect to the submission of amendments. Do I correctly understand that they may be submitted any time today, as late as 7 or 8 o'clock?

Mr. MANSFIELD. Until midnight, if necessary; and tomorrow morning before the Senate convenes.

Mr. BUSH. Simply so that they may be submitted today and can be printed and be available to Senators, when the Senate convenes tomorrow.

The PRESIDING OFFICER. Is there objection to the unanimous consent request of the Senator from Montana

that any Senator may submit amendments to be printed and lie on the table?

Mr. BUSH. During the remainder of the day?

The PRESIDING OFFICER. During the remainder of the day, after the adjournment of the Senate. The Chair hears no objection, and it is so ordered.

Mr. BUSH. With that accommodation, I have no objection.

Mr. MANSFIELD. Mr. President, I renew my motion that the Senate adjourn until 10 o'clock tomorrow morning.

Mr. HOLLAND. Mr. President, will the Senator from Montana withhold his motion?

Mr. MANSFIELD. Yes.

Mr. HOLLAND. I wonder if the Senator from Montana realizes how many committees and conference committees are in session at this time.

Mr. MANSFIELD. I do.

Mr. HOLLAND. This morning the Senator from Florida was trying to get into shape the conference report on a rather important agricultural bill—not the farm bill—and it is now in shape. I hope the House will act on it this afternoon.

Progress is being made on the farm bill; and I hope there will be an agreement on it.

All day the Subcommittee on State, Justice and Commerce, the Judiciary, and Related Agencies of the Committee on Appropriations has been holding hearings. I have been dashing into and out of the Senate Chamber amid these various responsibilities. I am sure other Senators find themselves in the same situation, because one distinguished Senator passed me and said he was dashing to a conference.

Mr. MANSFIELD. If all Senators were as diligent as is the Senator from Florida, the Senate could function; but so far as hearings are concerned, they could continue whether the Senate is in session or not.

Mr. HOLLAND. I thank the Senator from Montana for his compliment; but let me say, in a friendly measure, that some of us have more things to attend to than we have time to do them. I have not been able to be in the Chamber to hear the debate, much to my regret. I have no amendments to propose.

Mr. MANSFIELD. The Senator from Florida has not missed much, because there has been very little debate.

Mr. HOLLAND. It is utterly impossible, with all these matters coming to a head at one time, for all Senators to be in the Chamber.

I thank the Senator for yielding.

Mr. MANSFIELD. Again, the Senator from Florida has been very diligent. Every time the bell has rung, he has been here, "Johnnie on the spot"; but many Senators have been missing.

Mr. President, I yield to the Senator from Iowa for insertions in the RECORD.

THE 175TH ANNIVERSARY OF SIGNING OF CONSTITUTION

Mr. MILLER. Mr. President, I ask unanimous consent to have printed at this point in the RECORD an excellent article entitled "An Experiment That Worked: The Constitution Convention,"

written by the very able writer Ros Jensen, and published in yesterday's magazine section of the Omaha World Herald.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

AN EXPERIMENT THAT WORKED: THE CONSTITUTION CONVENTION (By Ros Jensen)

(Monday, September 17, marks the 175th anniversary of the signing of the Constitution. In observance, the magazine of the midlands prints the words of this document, and a history of the Constitution Convention.)

Rebels were marching again across village greens and rockbounded fields where the minutemen battled the redcoats only a few years before. But this time they defied a government based, not in London, but in Boston.

As the maples shed their red and gold dress, debt-burdened farmers from western Massachusetts prepared to settle their grievances with pitchforks, staves and a few muskets.

Led by Capt. Daniel Shays, a dirt farmer who had been an obscure officer in the Continental Army, they tried to close the courts where their creditors were demanding either land or dues.

For a few days in that autumn of 1786, it was feared that even the State government would be besieged by the unruly rebels.

But the farmers were confused, ill-equipped and poorly led. They were repulsed, scattered to the barren hills or to the western wilderness. Those who were tracked down and captured eventually were granted amnesty even though the government had threatened to inflict the death penalty. Because of the fervid feelings that erupted with the insurrection, State officials thought it unwise to deal harshly with the farmers.

Shay's rebellion, as it came to be known, had repercussions throughout the infant Nation. Unwittingly, the Massachusetts farmers made an object lesson of an uprising. Their challenge to civil authority was the latest and most telling in a series of episodes that caused reasonable men to ponder the fate of the American experiment with democratic government.

LITTER OF NATIONS

There was, indeed, the fear that the spirit of '76 might become a diabolical ghost that would ravage the dreams of the patriots who had stood by Concord's crude bridge, endured the cruel winter at Valley Forge or watched the men of Cornwallis stack their arms at Yorktown.

The Thirteen States had joined in a government under the Articles of Confederation in 1781. But this document had united neither the States nor the people. It had, as one historian put it, "brought forth a litter of small nations." The Central Government was weak, made so by the articles themselves.

The Declaration of Independence, to be sure, remained an article of faith for freedom-loving men, but it was not an instrument that could shape a new government. It gave expression to the cherished dreams of the patriots, but it also—and this is often lost sight of—listed grievances against His Royal Majesty George III, accusing him of "repeated injuries and usurpations, all having in direct object the establishment of an absolute tyranny over these States."

Thus the colonists were at once bound together by their aspirations for a free government and by the recurring memories of all sorts of things they didn't want the English to do.

In the postwar period the leaders of the new Nation soon discovered that finding a

governmental system that could maintain law and order while still making real the hopes of the patriots was not as simple as they had expected in the first blush of victory.

As reports of Shay's rebellion spread through the States, the leading minds of the Nation sought remedies that might restore the need of oneness that had united the Colonies in the conflict with Mother England.

TO SEIZE CONTROL

Openly, there were demands for a revision of the Articles of Confederation so the Central Government could be strengthened to cope with the menace of anarchy and bankruptcy at home and the potential threats of the great powers across the sea.

Secretly, many influential figures plotted a complete change of government. Some looked about for a suitable prince who might be willing to ascend an American throne. Others tried to persuade Gen. George Washington to seize control through a military dictatorship—overtures the hero of the Revolution rejected with violent and bitter rebukes.

Finally, all the States except Rhode Island agreed to send delegates to a convention in Philadelphia in the spring of 1787. The Convention was to consider ways of altering the Articles of Confederation.

Men of heroic stature were needed in these troubled times, and the States did not fall, for they sent some of their best—lawyers, merchants, financiers, educators, planters, most of whom had been leaders in the movement for independence.

George Washington left his stately home at Mount Vernon, arriving in Philadelphia May 13. Still high in public esteem, he was welcomed with a celebration even though it was the Sabbath. A troop of horsemen rode out the pike to escort him to the city, where the church bells were rung and cannon were fired in salute.

Twelve days later, when the Convention was organized, Washington was unanimously elected the presiding officer. In the months that followed, his patience and moderation were to buoy the spirits of delegates who feared the deliberations would be fruitless.

ROLE OF PEACEMAKER

Among those who greeted Washington was a famous inhabitant of Philadelphia, Dr. Benjamin Franklin—statesman, inventor, publisher, philosopher—now a very old but very wise man.

As a member of the Pennsylvania delegation, he was to assume the role of benevolent peacemaker when delegate tempers and summer temperatures rose simultaneously.

On one occasion, when a deadlock threatened to disrupt the proceedings, Franklin brought with him a two-headed snake preserved in liquid in a large bottle. Showing it to his colleagues, he asked them to consider what might happen if the snake were alive and one head chose to go to one side of a tree and the second head picked the other side, neither giving way to the other.

From Virginia came also James Madison, who had in his 36 years acquired a great deal of experience as well as knowledge in political affairs. He was to become the philosopher of the Constitution. Standing between the extreme viewpoints expressed by the delegates, he was to draw together the best ideas of the differing factions.

From New York came Alexander Hamilton, just turned 30, who had fostered the idea of holding the Convention. As Washington's aide during the war, he had witnessed the birth of a nation. He was now determined to see it mature.

Hamilton was among those who nursed the ambition to create an all-powerful Central Government that would put an end to the incessant disputes among the States.

And there was George Mason, author of the Virginia bill of rights; South Carolina's Gen. Charles Cotesworth Pinckney and his

young cousin, Charles Pinckney, distinguished spokesmen for the southern planters; James Wilson, a hard-headed Pennsylvanian of Scottish birth who had become one of the best-read jurists in America; Roger Sherman, the Connecticut shoemaker-turned-judge; Robert Morris, the English-born financier of the Revolution; Gouverneur Morris, a keen observer of human frailties; Luther Martin, an eminent lawyer who was the champion of the agrarian classes.

AMONG THE MISSING

Missing were Thomas Jefferson, the intellectual Virginia aristocrat who espoused liberal causes; John Adams, the New Englander who favored conservative forms of government; John Jay, the brilliant legalist and political theorist, and Patrick Henry, the firebrand of the Revolution.

Jefferson was the infant Nation's Minister to France; Adams held a similar post at the Court of St. James; Jay was Secretary of Foreign Affairs for the existing Government, and Henry, although elected a delegate, refused to attend because he "smelt a rat."

The task of the delegates was, as they wrote later in the preamble of the Constitution, "to form a more perfect union . . . and secure the blessings of liberty to ourselves and our posterity."

This meant strengthening the Government and providing the cohesive force for a people lacking a national consciousness.

The delegates, whose number eventually reached 55, soon concluded that a mere revision of the Articles of Confederation would not provide a satisfactory government for the future. The Convention was only 4 days old when the first proposal for a new government was submitted.

The impotence of the National Government of the Confederation was ever in the minds of the delegates. The Continental Congress was so weak that it could not settle the squabbles among the 13 State governments.

The Congress could provide for an army, but it was forced to rely upon the States to supply men and money voluntarily. The States could decide whether they wanted to abide by treaties negotiated by the national assembly. Congress had no taxing powers; it could not put down insurrection, such as Shays' rebellion, nor even enforce its laws when they met with public resistance; it was unable to prevent the States from interfering with matters of common welfare, such as tariffs and monetary stability; it could not regulate commerce or even establish a uniform currency system.

THEIR OWN MONEY

The States, jealous of their own special interests, put tariff duties on imports from foreign countries and, in some cases, on goods coming from neighboring States.

New York, for example, taxed firewood from Connecticut and vegetables from New Jersey.

The States issued their own money in coin or paper or both (seven States, under pressure from rural communities, issued large quantities of paper money in an attempt to force up the prices of farm products to help farmers pay off debts).

Seeing the new Nation in such a chaotic condition, the ruling classes of the Old World cast covetous glances toward America, waiting hopefully for the expected doom.

With its Revolutionary Army and Navy disbanded, America was no threat to the great powers of Europe. And it even had to suffer abuse from the Barbary pirates of North Africa. It was too poor to pay the blackmail demanded by these cutthroats and too weak to resist raids on American ships in the Mediterranean.

The Philadelphia Convention also addressed itself to the problem of unifying the people through a strong government. The inhabitants of this land did not think of themselves then as Americans. They were

called by State or regional names—New Englanders, Jerseymen, Virginians, Carolinians.

Yet, despite differences in origin, traditions, religion, and economic interests, these people made up a growing land that numbered about 4 million, including 700,000 Negro slaves. The boats docking in American ports were bringing the distressed, the unlucky and the adventure seekers from Europe.

Since there was little industry, most of the newcomers as well as the old settlers lived off the land (only 6 cities had populations exceeding 8,000).

And most of them were forced to live in relative isolation because transportation and communication were handicapped by poor roads.

IDLENESS A SIN

The country, essentially, was made up of four geographic areas, each with its own interests and ambitions, political as well as economic and social.

In the north was New England whose rigorous climate and grudging soil produced the Yankees. Reared in the strict Puritan tradition, these rugged individualists built a society that regarded idleness a sin as woeeful as Sabbath-breaking.

They practiced democracy in their town meetings, worshipped a stern God in their plain churches, took pleasure in barn-raising and corn huskings and earned their livelihood from the soil, the sea, and a few handicraft industries that thrived in Massachusetts and Rhode Island.

If the Yankees had been a boastful sort, they would have pointed with pride to their fine educational institutions, including Harvard and Yale. They would surely have been less enthusiastic about a prospering summer resort at Newport, a playground for wealthy plantation owners from South Carolina.

The Middle Atlantic States made the first melting pot of the land. From the Old World came the English, of course, and Dutch, Swedes, French, Scots, Irish, Germans, Finns, Swiss, and Jews. With them they brought a variety of virtues and vices.

New York, in sharp contrast to the severity of New England, was renowned for its gaiety. Many of its inhabitants were disposed to radical religious and political ideas that prompted stern rebukes from orthodox pulpits. While other cities were busy founding literary societies, New York produced the Columbia Order, better known in latter days as Tammany Hall.

But Philadelphia was then the Nation's first city, with a population of about 42,000 and flourishing commerce and culture.

The South was typified by a proud aristocracy that built imposing mansions and kept troops of slaves to work the fields. The planters, less concerned about eternal doom than their New England countrymen, enjoyed such world pastimes as fancy balls, formal dinners, card-playing, and horse racing.

The South had two cities of importance: courtly Charleston, with its graceful, hospitable atmosphere, and boisterous Baltimore, whose beautiful belles and swift schooners were both in demand by the daring pirates who roamed the Atlantic.

The fourth region was the backwoods, the western frontier that stretched from New England to Georgia through the Alleghenies, the Shenandoah Valley of Virginia and the Piedmont. Here lived an odd mixture of frugal, law-abiding farmers and hard-drinking, law-ignoring hunters.

Together, they fought the Indians and endured the natural hardships of the wilderness. They dwelt in rude cabins, wore homespun and deerskin, ate hog and hominy and amused themselves at shooting matches and quilting bees.

CONSERVATIVE MEN

The Constitutional Convention reflected these regional differences. There were, as there still are, debates between States Rights and Federalists. There were disagreements between the representatives of northern mercantilists and southern planters, between eastern financiers and western farmers.

The Founding Fathers, as a group, were conservative-minded men—at least by modern standards. They were, for the most part, men of wealth, property, education and community standing.

Consequently, there have been frequent attempts—then and now—to discredit their work. The delegates have been characterized as selfish, opulent patricians who were more concerned about preserving property rights than about extending human rights.

Eminent historians have put the lie to such baseless arguments. Typical is the judgment of Profs. Samuel Eliot Morison and Henry Steele Commager in their excellent recital of the American past:

"Seldom has a class acted more wisely for the good of the whole than the Federalists, the self-constituted party of property owners, publicists and professional men that framed the Federal Constitution, procured its ratification, and built a new Federal state within its frame."

The famed French tourist, Alexis de Tocqueville, whose observations of America are being reexamined again in scholarly circles, offered a similar verdict when he recalled that "the most distinguished men were ready to forestall the wants of the community, and the people clung to them for support and placed them at its head."

Those who would dishonor the Fathers overlook the courage and the faith that motivated the little group in Philadelphia.

Although the odds were against them, the delegates were willing to erect a government that combined both democratic and republican principles and ignored the authoritarian forms that ruled Europe.

THE MODERATES

Pondering the past, as they did, the Convention leaders were aware of the ghosts of democracies and republics that haunted mankind's striving for free government.

Only about a century before, the Puritan revolution in England had led to the military dictatorship of Oliver Cromwell, followed soon thereafter by the restoration of the monarchy. The Roman Republic had failed, giving way to a despotic emperor. Time and again the democratic states of ancient Greece were supplanted by dictatorships or tyranny.

The delegates saw themselves, quite rightly, as moderates, standing between political extremes. They distrusted pure democracy, which they felt could lead only to mob rule, the oft-feared "tyranny of the majority." The violent break with England, which many of them had helped precipitate, made a monarchy unthinkable.

The Constitution that emerged from the Philadelphia assembly was the legitimate offspring of the intellectual forces that were disturbing the status quo of the Old World.

The fathers were heirs of the 17th century English movement for republican government. They knew of Hobbes, Locke and Montesquieu, whose theories of government had given impetus to popular political causes.

They were familiar with Newton's scientific achievements, which found a rational order in the universe. But they were also well grounded in John Calvin's legalistic theology, which gave standing to the idea of original sin.

These converging philosophies gave birth to a document that affirmed the idea that governments existed by consent of the governed but, at the same time, built an elab-

orate system of checks and balances to restrain the natural self-interest of men.

ONLY SKETCHY RECORDS

The convention sessions were held in secret so the delegates could have a free rein on their political passions.

The record of the proceedings is sketchy, so the events that transpired are based largely on the recollections that a few of the delegates put on paper. But it is clear that the Founding Fathers did not have an easy time drafting the plan for a new government.

On several occasions the Convention was on the verge of collapse. Early in July the New York delegation, minus Hamilton, abruptly walked out. The small-population States were in continuous battle with the large States.

Quarrels over methods of apportioning representation in the legislative branch led to a long deadlock. Compromises were inevitable.

But, in weighing the achievements of these men, it is well to consider the summary of Historian Charles Beard, one of the eminent students of constitutional history:

"Indeed it has been customary for historians to lay stress on the differences of opinion and treat the Constitution which emerged as a mere 'bundle of compromises.' But this view is far from the whole truth of the matter. Strictly speaking, the agreements of the Convention were more numerous and important for the Nation than the dissensions and the compromises."

In truth, there was essential agreement on the basic framework of the Government. Disagreements arose over the particulars.

The final handiwork was a complex mechanism which reconciled two different powers, that of local control vested in the States and that of a Central Government given new vigor to cope with national problems.

The functions of the Federal Government were carefully defined while all other duties were understood as belonging to the States.

CHANGE IN THE SENATE

In the National Government three equal and coordinate branches were set up—executive, legislative, and judicial. They were interlocking to permit harmonious operation. But they were so adjusted that no one branch could ever overpower the others.

The legislative branch, following the British and colonial pattern, had two Houses. In the Senate the small States were given equality with the large. In the House of Representatives the seats were based on population.

Only the House was exposed to direct public pressure. Senators were elected by State legislatures (this was changed to popular election by the 17th amendment in 1913), the President was chosen by the electoral college, and judges were appointed by the President with the advice and consent of the Senate.

Officers were chosen for such a wide variety of terms, from 2 years to life, that a complete overhauling of the Government could be accomplished only by revolution.

The new Federal Government was given authority the Confederation lacked—power to collect taxes for the general welfare, to impose uniform tariffs, to control interstate commerce, to borrow money, to maintain an army and a navy, to conduct foreign relations, to wage war, to admit new States on an equal basis with the Original Thirteen, to intervene in insurrections in the States and to enforce its laws in them.

On Monday, September 17, 1787, the Constitution was formally signed by 39 delegates representing 12 States (Rhode Island didn't send a delegation). Three others refused to indorse the document.

As the last signature was put on the parchment, Dr. Franklin pointed to the half sun painted in gold on the back of the chair occupied by General Washington. During the heated debates, said the 81-year-old

statesman, he had often wondered whether it was a rising or setting sun.

"Now, at length, I have the happiness," he added, "to know that it is a rising, and not a setting, sun."

One task remained: securing the approval of the States. And that was not to be an easy undertaking.

BILL OF RIGHTS LATER

When the secrecy of the Convention was broken and the Constitution was made public, a torrent of abuse and criticism was heaped on the delegates. The critics found the new proposal not unlike the plan of the old mother country. They contended that the President would soon become a king and the Senate a house of lords.

The passionate libertarians were upset by the failure to include a bill of rights, which later was adopted by the First Congress as a concession to the liberal groups.

Faced with such vocal opposition, leaders of the Convention began a massive campaign to convince the public of the merits of the new document.

Madison and Hamilton, joined by Jay, wrote 77 newspaper articles that, with the addition of 8 other essays, became the *Federalist Papers*. These writings, still a classic exposition of constitutional government, undoubtedly were the most effective instrument in persuading concurrence by the States.

Seeing the continued futility of the confederation government, the public was eager to accept the changes recommended by the Philadelphia Convention. When the Constitution was finally ratified, there was rejoicing in the streets and spectacular parades in the principal towns.

Then, on April 30, 1789, George Washington was inaugurated as the first President of the United States of America.

Responding to the plaudits of the crowd, he admonished his fellow citizens, reminding them of the responsibilities they shared in making a success of the new Government. He told them:

"The preservation of the sacred fire of liberty and the destiny of the republican model of government are justly considered, perhaps, as deeply, as finally, staked on the experiment entrusted to the hands of the American people."

HELEN G. IRWIN: "CINDERELLA GIRL" OF EQUITABLE OF IOWA

Mr. MILLER. Mr. President, I ask unanimous consent to have printed at this point in the RECORD an article entitled "Cinderella Girl," which relates to Miss Helen G. Irwin, of Des Moines, Iowa, recently elected international president of the International Federation of Business & Professional Women's Clubs. The article appears in a recent issue of *Dividend*, published by *Equitable of Iowa*.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HELEN IRWIN HEADS WORLDWIDE FEDERATION

OSLO, NORWAY, July 30.—Helen G. Irwin, librarian, *Equitable of Iowa*, Des Moines, today was elected president of the International Federation of Business & Professional Women's Clubs here assembled for its ninth world congress. This is the top office of an organization of more than 2 million members—the largest businesswomen's group in the world.

Miss Irwin, who succeeds Mrs. Elizabeth Feller, of Switzerland, has represented the United States abroad on numerous occasions during the past 10 years, and has been decorated by West Germany for her services to refugees.

The first *Equitable of Iowa* associate to appear on the world stage, Miss Irwin has been a member of the home office staff 36 years. First assigned to policy title, she was transferred in 1954 to personnel to become the company's first librarian. In 1956 she also was named editorial assistant of *Dividend*, the home office magazine.

A charter member of the Des Moines Business & Professional Women's Club since its organization in 1918, and more than once its president, she rose through the offices of the Iowa State Federation and thence to responsibilities on a national plane, culminating in the presidency of the American Federation in 1953 and 1954. This led in turn to international activities.

In 1953 she became the first American woman to receive the Commander's Cross of the Order of Merit from the (West) German Federal Republic in recognition of B. & P.W. work with West German women and youth. In 1954 President Dwight D. Eisenhower named her to the Public Advisory Board of the Foreign Operations Administration. Later Secretary of Defense Charles E. Wilson named her to the Defense Advisory Committee on Women in the Armed Forces. In both these capacities, which continued throughout the Eisenhower administration, she traveled throughout the world.

In 1955 Miss Irwin was named to the Iowa Merit System Council (the first woman ever to be appointed), which she has twice served as chairman. She also is a member of the Council of the National Civil Service League, the Committee for a National Trade Policy, the board of directors of the Women's Medical College of Philadelphia, and the board of Soroptimist, International.

CINDERELLA GIRL

It is a clear, peaceful evening in Richmond, Va., in the late summer of 1907. A Salvation Army band, trumpets braying, tambourines clacking, big drum booming, plays gospel hymns on the corner of Ninth and Grace Streets, hard by the statehouse. Attracted by the music, people gather around the band first to listen, then to sing. The music stops, and Commandant Samson James steps forward to tell the story of salvation. No one notices the dark-haired little girl standing by herself under a tree bordering Capitol Square; no one, that is, save an attractive young woman in the band, the commandant's wife. For the child is her only legacy from her first husband, now 4 years gone, a victim of "consumption."

Since May the little girl has listened and watched as her mother, stepfather and their fellow missionaries carried the Word to the derelicts of Richmond's population—the human flotsam bred by every city in every land in every age. With her own eyes she has witnessed the transformations wrought in the miserable men and women as the message of hope struck home. Young as she is, she has this summer learned a lesson upon which she will base her whole life: that people are wonderful, regardless of age, color, station in life, degree of learning, or sex; and that there is an immense joy to be realized through helping people to attain happiness.

Thus on this soft August evening, a wide-eyed little girl recognizes and accepts her destiny. From tonight on she will dedicate her life, and her talents, to people.

So commences the story of *Equitable of Iowa's Cinderella girl*—Helen G. Irwin—whose understanding love of her fellow beings became the fairy godmother who whisked her from the home office onto a world stage, her "golden chariot" the International Federation of Business & Professional Women's Clubs.

It is a long way from Capitol Square in Richmond to the White House in Washington; to Westminster Abbey in London; the burgomeister's home in Amsterdam; the royal palace in Stockholm, to list but a handful

of the places she has visited during the past decade. It is a far cry from the society of Salvation Army missionaries to the enjoyment of friendships with President and Mrs. Eisenhower; with Senator MARGARET CHASE SMITH; with Caroline Haslett, Dame of the British Empire; with Her Royal Highness Queen Louise of Sweden; or with His Excellency Konrad Adenauer, Chancellor of the (West) German Federal Republic. It is an immense stride from interviewing associates for Dividend to speaking for America, and for the Nation's vast army of career women, in the forums of the world. And it is, certainly, an attainment not achieved by many to be listed in *Who's Who in America*.

Helen was born at the turn of the century in Savannah, Ga. There she lived until her father's untimely death caused her mother, then only 23, to move to Richmond to live with her parents until her second marriage to Commandant James. Helen completed grade school in Richmond before the Salvation Army transferred her people to Quincy, Ill., where she completed high school. A year of business college followed, and then came her first job—typist-clerk in the law office of Strock, Wallace & McMartin, in Des Moines. Two years later she moved to the Des Moines branch of the Chicago Joint Stock Land Bank where she worked with two promising young executives—the late A. C. McGill, destined to become counsel for Equitable of Iowa, and his younger brother, the late J. M. McGill, former superintendent of city loans. The brothers moved to Equitable of Iowa, and in 1926, at their suggestion, she followed.

That obviously is only the part of Helen's story associated with the necessary detail of making a living. But it is important for three reasons: First, the little girl from Richmond had to make her own way before she could commence her chosen career of "giving" of herself to humanity; second, she would not be known to the home office had she not chosen to work here; third, she was launched in her true "career" by three former associates—Caroline Gruener, Lillian van Buskirk, and Lela Gray (all now deceased)—each of whom were executives of the company at that time.

Back around World War I Des Moines was threatened with a street railway strike, and a group of militant, public-spirited businesswomen led by the three Equitable of Iowa women organized the Committee of 12 to seek to avert a transportation stoppage. The committee recruited younger women to help, among them Helen. Once the streetcar issue was resolved, the organization became the Des Moines Business & Professional Women's Club.

In and through this club Helen found the channel she sought through which she could fulfill her destiny in life, and instinctively she adjusted her routines to give her the time she required for the pursuit of that destiny. Acting with a wisdom beyond her years (she was still in her 20's) she disengaged herself from other distracting and time-consuming interests, mastered the technical details of her work, and then concentrated her considerable talent and energy upon her chosen mission: to help women carve a wider field of service and influence in the world of business. When she came to the company, the routine of her home office job was, for her, a not too difficult assignment. Performing the job paid her a living sufficient for her modest demands. Best of all, it was the kind of a job which ended every day at quitting time; which demanded no excessive drain on her energies, and which burdened her with no sleep-robbing worries or problems.

Thus back in 1926 there began, promptly at closing time each and every afternoon, the true career of Helen Irwin.

She has visited 18 foreign countries in the past 10 years: Alaska and Hawaii (before they became States), Canada, Mexico, and

Cuba in the Western Hemisphere; Sweden, Norway, Denmark, Finland, the Netherlands, Belgium, France, West Germany, Scotland, England, Poland, Czechoslovakia, and Russia in Europe. She has made thousands of speeches; been interviewed hundreds of times, written more than 100 articles, and met and talked with unnumbered career women throughout the Western World. She has been the honored guest of Sweden's great Thule Insurance Group at a luncheon held to publicly recognize the American life insurance industry as represented by her; a guest of the West Germans; and a luncheon guest of the Eisenhowers in the family dining room of the White House, to mention three highlights.

Since 1925 her home has been an apartment in the Ewing Building, 917 Locust. There she writes her letters, articles, and speeches; plans her activities, studies, and meditates, and stores away the growing mountain of mementos of a tremendously active life. And it was there she summed up some of the wisdom she has gained in her career:

"America, and we who comprise America, have been pushed into world leadership, whether we like it or not. Partly because we are a fiercely independent people; partly because we enjoy tremendous personal incomes by world standards; partly because we are green and uncertain in the role of leaders, and hence inclined to seem bossy, we are not entirely popular among many people in the world. Probably some of this dislike comes to us just because we are the leaders, such as formerly was visited upon Great Britain. "Now, those are the facts we face.

"If I have a message, therefore, it is this, and I say it from the bottom of my heart: "Be humble, be friendly, be kind. God created all men in His image. We are all—white, black, yellow, Christian, Moslem, Jew, Democrat, Republican, Monarchist or Communist—We are all God's children and equal in His sight."

Whatever the future may hold, life is unlikely to "throw" the little girl from Richmond who, ever since that summer evening in 1907, has known exactly what she wanted to do in life. Equitable of Iowa's Cinderella girl has attained her destiny.

THE 175TH ANNIVERSARY OF THE CONSTITUTION OF THE UNITED STATES OF AMERICA

Mr. DIRKSEN. Mr. President, 175 years ago today, the Constitution of the United States of America was concluded in Convention by the unanimous consent of the States present on the 17th day of September in the year of our Lord, 1787, and of the independence of the United States of America the 12th. Unto this document the names of those who participated in Convention were subscribed.

In this world of turmoil and with this constant struggle between freedom and communism, this great document, the Constitution of the United States, becomes more and more significant not only to us in the United States but to freedom-loving people everywhere. On this day, the 175th anniversary of the Constitution, not only are we concerned with serious issues in the Far East, the Near East, the captive nations, and the Berlin wall, but with the ominous threat to free people which has reached the very doorstep of the United States on Soviet Cuba, an island only 90 miles off our coast. This is not only a threat to our people in the United States of

America; it is in violation of one of our basic declarations of freedom, the Monroe Doctrine, since it poses a threat by a foreign nation to the whole Western Hemisphere. The Monroe Doctrine was enunciated December 2, 1823, when President James Monroe stated to the Senate and to the House, as follows:

We owe it, therefore, to candor and to the amicable relations existing between the United States and those powers to declare that we should consider any attempt on their part to extend their system to any portion of this hemisphere as dangerous to our peace and safety. * * *

Mr. President, this Constitution of the United States of America was written with the blood of the brave men, women, and children who suffered and even died to make this great Nation free. There are others who sacrificed and bled and died to extend her from one ocean to the other and in the words of Abraham Lincoln:

The brave men, living and dead, who struggled here, have consecrated it, far above our poor power to add or detract. It is rather for us to be here dedicated to the great task remaining before us—that from those honored dead we take increased devotion to that cause for which they gave the last full measure of devotion—that we here highly resolve that these dead shall not have died in vain—that this Nation, under God, shall have a new birth of freedom—and that government of the people, by the people, for the people, shall not perish from the earth.

Mr. President, although there are times when we feel some people take too much for granted these great sacrifices that gave us this great liberty, it takes occasions such as Constitution Day to reawaken all of us to the many blessings this country has given us and to reemphasize our solemn duty to preserve it for our children and our children's children for ages to come. You will note I have quoted from three documents of freedom in my remarks above, and I think it would be fitting and proper on this day to ask unanimous consent that the "Documents of Freedom," as copyrighted by the Freedom Documents Foundation, be placed at this point in the CONGRESSIONAL RECORD. Included are the Declaration of Independence, the Constitution of the United States of America, the Bill of Rights, the Monroe Doctrine, the Gettysburg Address, November 19, 1863, the "Star-Spangled Banner," and the pledge of allegiance:

I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

It was a privilege for me to introduce a resolution commemorating the 175th anniversary of the Constitution; and as chairman of the Subcommittee on Federal Charters, Holidays, and Celebrations of the Committee on the Judiciary, I was happy to see that the Senate approved such resolution. I ask unanimous consent that my remarks and these statements containing the basic documents of our freedom be printed and distributed as a Senate document, and that the documents be printed at this point in the RECORD.

There being no objection, the documents were ordered to be printed as a Senate document and to be printed in the RECORD, as follows:

DECLARATION OF INDEPENDENCE

In Congress, July 4, 1776.

The unanimous declaration of the thirteen United States of America,

When in the Course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth, the separate and equal station to which the Laws of Nature and of Nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation. We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness. That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed. That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness. Prudence, indeed, will dictate that Governments long established should not be changed for light and transient causes; and accordingly all experience hath shewn, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same Object, evinces a design to reduce them under absolute Despotism, it is their right, it is their duty, to throw off such Government, and to provide new Guards for their future security. Such has been the patient sufferance of these Colonies; and such is now the necessity which constrains them to alter their former Systems of Government. The history of the present King of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute Tyranny over these States. To prove this, let Facts be submitted to a candid world. He has refused his Assent to Laws, the most wholesome and necessary for public good. He has forbidden his Governors to pass laws of immediate and pressing importance, unless suspended in their operation till his Assent should be obtained; and when so suspended, he has utterly neglected to attend to them. He has refused to pass other Laws for the accommodation of large districts of people, unless those people would relinquish the right of Representation in the Legislature, a right inestimable to them and formidable to tyrants only. He has called together legislative bodies at places unusual, uncomfortable, and distant from the depository of their public Records, for the sole purpose of fatiguing them into compliance with his measures. He has dissolved Representative Houses repeatedly, for opposing with manly firmness his invasions on the rights of the people. He has refused for a long time, after such dissolutions, to cause others to be elected; whereby the Legislative powers, incapable of Annihilation, have returned to the People at large for their exercise; the State remaining in the meantime exposed to all the dangers of invasion from without, and convulsions within. He has endeavored to prevent the population of these States; for that purpose obstructing the Laws for Naturalization of Foreigners; refusing to pass others to encourage their migrations hither, and raising the conditions of new Appropri-

ations of Lands. He has obstructed the Administration of Justice, by refusing his Assent to Laws for establishing Judiciary powers. He has made Judges dependent on his Will alone, for the tenure of their offices, and the amount and payment of their salaries. He has erected a multitude of New Offices, and sent hither swarms of Officers to harass our people, and eat out their substance. He has kept among us in times of peace, Standing Armies without the Consent of our legislatures. He has affected to render the Military independent of and superior to the Civil power. He has combined with others to subject us to a jurisdiction foreign to our constitution, and unacknowledged by our laws; giving his Assent to their Acts of pretended Legislation: For quartering large bodies of armed troops among us: For protecting them, by a mock Trial, from punishment for any Murders which they should commit on the Inhabitants of these States: For cutting off our Trade with all parts of the world: For imposing Taxes on us without our Consent: For depriving us in many cases, of the benefits of Trial by Jury: For transporting us beyond Seas to be tried for pretended offences: For abolishing the free System of English Laws in a neighbouring Province, establishing therein an Arbitrary government, and enlarging its Boundaries so as to render it at once an example and fit instrument for introducing the same absolute rule into these Colonies: For taking away our Charters, abolishing our most valuable Laws, and altering fundamentally the Forms of our Governments: For suspending our own Legislatures and declaring themselves invested with power to legislate for us in all cases whatsoever. He has abdicated Government here, by declaring us out of His Protection and waging War against us. He has plundered our seas, ravaged our Coasts, burnt our towns, and destroyed the lives of our people. He is at this time transporting large Armies of foreign Mercenaries to complete the works of death, desolation and tyranny, already begun with circumstances of Cruelty & perfidy scarcely paralleled in the most barbarous ages, and totally unworthy the Head of a civilized nation. He has constrained our fellow Citizens taken Captive on the high Seas to bear Arms against their Country, to become the executioners of their friends and Brethren, or to fall themselves by their Hands. He has excited domestic insurrections amongst us, and has endeavored to bring on the inhabitants of our frontiers, the merciless Indian Savages, whose known rule of warfare, is an undistinguished destruction of all ages, sexes and conditions. In every stage of these Oppressions We have Petitioned for Redress in the most humble terms. Our repeated Petitions have been answered only by repeated injury. A Prince, whose character is thus marked by every act which may define a Tyrant, is unfit to be the ruler of a free people. Nor have We been wanting in attention to our British brethren. We have warned them from time to time of attempts by their legislature to extend an unwarrantable jurisdiction over us. We have reminded them of the circumstances of our emigration and settlement here. We have appealed to their native justice and magnanimity, and we have conjured them by the ties of our common kindred to disavow these usurpations, which, would inevitably interrupt our connections and correspondence. They too have been deaf to the voice of justice and of consanguinity. We must, therefore, acquiesce in the necessity which denounces our Separation, and hold them, as we hold the rest of mankind, Enemies in War, in Peace Friends.

We, therefore, the Representatives of the United States of America, in General Congress, Assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, do, in the Name, and by Author-

ity of the good People of these Colonies, solemnly publish and declare, That these United Colonies are, and of Right ought to be, Free and Independent States; that they are Absolved from all Allegiance to the British Crown, and that all political connection between them and the State of Great Britain, is and ought to be totally dissolved; and that as Free and Independent States, they have full Power to levy War, conclude Peace, contract Alliances, establish Commerce, and to do all other Acts and Things which Independent States may of right do. And for the support of this Declaration, with a firm reliance on the protection of Divine Providence, we mutually pledge to each other our Lives, our Fortunes, and our sacred Honor.

THE CONSTITUTION

We the people of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common Defence, promote the general Welfare, and secure the Blessing of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.

ARTICLE I

SECTION 1. All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

SECTION 2. The House of Representatives shall be composed of Members chosen every second Year by the People of the several States, and the Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.

No Person shall be a Representative who shall not have attained to the Age of twenty-five Years, and been seven Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State in which he shall be chosen.

Representatives and direct Taxes shall be apportioned among the several States which may be included within this Union, according to their respective Numbers, which shall be determined by adding to the whole Number of free Persons, including those bound to Service for a Term of Years, and excluding Indians not taxed, three fifths of all other Persons. The actual Enumeration shall be made within three Years after the first Meeting of the Congress of the United States, and within every subsequent Term of ten Years, in such Manner as they shall by Law direct. The Number of Representatives shall not exceed one for every thirty Thousand, but each State shall have at Least one Representative; and until such enumeration shall be made, the State of New Hampshire shall be entitled to chuse three, Massachusetts eight, Rhode-Island and Providence Plantations one, Connecticut five, New York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina five, and Georgia three.

When vacancies happen in the Representation from any State, the Executive Authority thereof shall issue Writs of Election to fill such Vacancies.

The House of Representatives shall chuse their Speaker and other Officers; and shall have the sole Power of Impeachment.

SECTION 3. The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof, for six Years; and each Senator shall have one Vote.

Immediately after they shall be assembled in Consequence of the first Election, they shall be divided as equally as may be into three Classes. The Seats of the Senators of the first Class shall be vacated at the Expiration of the second Year, of the second Class at the Expiration of the fourth Year, and of the third Class at the Expiration of the sixth Year, so that one-third may be chosen every

second Year; and if Vacancies happen by Resignation, or otherwise, during the Recess of the Legislature of any State, the Executive thereof may make temporary Appointments until the next Meeting of the Legislature, which shall then fill such Vacancies.

No Person shall be a Senator who shall not have attained to the Age of thirty Years, and been nine Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State for which he shall be chosen.

The Vice President of the United States shall be President of the Senate, but shall have no Vote, unless they be equally divided.

The Senate shall choose their other Officers, and also a President pro tempore, in the absence of the Vice President, or when he shall exercise the Office of President of the United States.

The Senate shall have the sole Power to try all Impeachments. When sitting for that Purpose, they shall be on Oath or Affirmation. When the President of the United States is tried, the Chief Justice shall preside: And no Person shall be convicted without the Concurrence of two thirds of the Members present.

Judgment in Cases of Impeachment shall not extend further than to removal from Office, and disqualification to hold and enjoy any Office of honor, Trust or Profit under the United States: but the Party convicted shall nevertheless be liable and subject to Indictment, Trial, Judgment and Punishment, according to Law.

SECTION 4. The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations, except as to the Place of Choosing Senators.

The Congress shall assemble at least once in every Year, and such Meeting shall be on the first Monday in December, unless they shall by Law appoint a different Day.

SECTION 5. Each House shall be the Judge of the Elections, Returns and Qualifications of its own Members, and a Majority of each shall constitute a Quorum to do Business; but a smaller number may adjourn from day to day, and may be authorized to compel the Attendance of absent Members, in such Manner, and under such Penalties as each House may provide.

Each House may determine the Rules of Proceedings, punish its Members for disorderly Behavior, and, with the Concurrence of two thirds, expel a Member.

Each House shall keep a Journal of its Proceedings, and from time to time publish the same, excepting such Parts as may in their Judgment require Secrecy; and the Yeas and Nays of the Members of either House on any question shall, at the Desire of one fifth of those Present, be entered on the Journal.

Neither House, during the Session of Congress, shall, without the Consent of the other, adjourn for more than three days, nor to any other Place than that in which the two Houses shall be sitting.

SECTION 6. The Senators and Representatives shall receive a Compensation for their Services, to be ascertained by Law, and paid out of the Treasury of the United States. They shall in all Cases, except Treason, Felony and Breach of the Peace, be privileged from Arrest during their Attendance at the Session of their respective Houses, and in going to and returning from the same; and for any Speech or Debate in either House, they shall not be questioned in any other Place.

No Senator or Representative shall, during the Time for which he was elected, be appointed to any civil Office under the Authority of the United States, which shall have been created, or the Emoluments whereof shall have been increased during such time; and no Person holding any Office under the

United States, shall be a Member of either House during his Continuance in Office.

SECTION 7. All Bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as on other Bills.

Every Bill which shall have passed the House of Representatives and the Senate, shall, before it become a Law, be presented to the President of the United States; If he approve he shall sign it, but if not he shall return it, with his Objections to that House in which it shall have originated, who shall enter the Objections at large on their Journal, and proceed to reconsider it. If after such Reconsideration two thirds of that House shall agree to pass the Bill, it shall be sent, together with the Objections, to the other House, by which it shall likewise be reconsidered, and if approved by two thirds of that House, it shall become a Law. But in all such Cases the Votes of both Houses shall be determined by Yeas and Nays, and the Names of the Persons voting for and against the Bill shall be entered on the Journal of each House respectively. If any Bill shall not be returned by the President within ten Days (Sundays excepted) after it shall have been presented to him, the Same shall be a Law, in like Manner as if he had signed it, unless the Congress by their Adjournment prevent its Return, in which Case it shall not be a Law.

Every Order, Resolution, or Vote to which the Concurrence of the Senate and House of Representatives may be necessary (except on a question of Adjournment) shall be presented to the President of the United States; and before the Same shall take Effect, shall be approved by him, or being disapproved by him, shall be repassed by two thirds of the Senate and House of Representatives, according to the Rules and Limitations prescribed in the Case of a Bill.

SECTION 8. The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

To borrow money on the credit of the United States;

To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

To establish a uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States;

To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;

To provide for the Punishment of counterfeiting the Securities and current Coin of the United States;

To establish Post Offices and post Roads;

To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries;

To constitute Tribunals inferior to the supreme Court;

To define and punish Piracies and Felonies committed on the high Seas, and Offenses against the Law of Nations;

To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water;

To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years;

To provide and maintain a Navy;

To make Rules for the Government and Regulation of the land and naval Forces;

To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions;

To provide for organizing, arming, and disciplining the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving

to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress;

To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the acceptance of Congress, become the Seat of the Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings;—And

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

SECTION 9. The Migration or Importation of such Persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the Year one thousand eight hundred and eight, but a tax or duty may be imposed on such Importation, not exceeding ten dollars for each Person.

The privilege of the Writ of Habeas Corpus shall not be suspended, unless when in Cases of Rebellion or Invasion the public Safety may require it.

No Bill of Attainder or ex post facto Law shall be passed.

No capitation, or other direct, Tax shall be laid, unless in Proportion to the Census or Enumeration herein before directed to be taken.

No Tax or Duty shall be laid on Articles exported from any State.

No Preference shall be given by any Regulation of Commerce or Revenue to the Ports of one State over those of another; nor shall Vessels bound to, or from, one State, be obliged to enter, clear, or pay Duties in another.

No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.

No Title of Nobility shall be granted by the United States: And no Person holding any Office of Profit or Trust under them, shall, without the Consent of the Congress, accept of any present, Emolument, Office, or Title, of any kind whatever, from any King, Prince, or foreign State.

SECTION 10. No State shall enter into any Treaty, Alliance, or Confederation; grant Letters of Marque and Reprisal; coin Money; emit Bills of Credit; make any Thing but gold and silver Coin a Tender in Payment of Debts; pass any Bill of Attainder, ex post facto Law, or Law impairing the Obligation of Contracts, or grant any Title of Nobility.

No State shall, without the Consent of the Congress, lay any Imposts or Duties on Imports or Exports, except what may be absolutely necessary for executing its Inspection Laws; and the net Produce of all Duties and Imposts, laid by any State on Imports or Exports, shall be for the Use of the Treasury of the United States; and all such Laws shall be subject to the Revision and Control of the Congress.

No State shall, without the Consent of Congress, lay any duty of Tonnage, keep Troops, or Ships of War in time of Peace, enter into any Agreement or Compact with another State, or with a foreign Power, or engage in War, unless actually invaded, or in such imminent Danger as will not admit of delay.

ARTICLE II

SECTION 1. The executive Power shall be vested in a President of the United States of America. He shall hold his Office during the Term of four Years, and, together with the

Vice-President, chosen for the same Term, be elected, as follows:

Each State shall appoint, in such Manner as the Legislature thereof may direct, a Number of Electors, equal to the whole Number of Senators and Representatives to which the State may be entitled in the Congress: but no Senator or Representative, or Person holding an Office of Trust or Profit under the United States, shall be appointed an Elector.

The Electors shall meet in their respective States, and vote by Ballot for two persons, of whom one at least shall not be an Inhabitant of the same State with themselves. And they shall make a List of all the Persons voted for, and of the Number of Votes for each; which List they shall sign and certify, and transmit sealed to the Seat of the Government of the United States, directed to the President of the Senate. The President of the Senate shall, in the Presence of the Senate and House of Representatives, open all the Certificates, and the Votes shall then be counted. The Person having the greatest Number of Votes shall be the President, if such Number be a Majority of the whole Number of Electors appointed; and if there be more than one who have such Majority, and have an equal Number of Votes, then the House of Representatives shall immediately chuse by Ballot one of them for President; and if no Person have a Majority, then from the five highest on the List the said House shall in like Manner chuse the President. But in chusing the President, the Votes shall be taken by States, the Representation from each State having one Vote; A quorum for this Purpose shall consist of a Member or Members from two-thirds of the States, and a Majority of all the States shall be necessary to a Choice. In every Case, after the Choice of the President, the Person having the greatest Number of Votes of the Electors shall be the Vice President. But if there should remain two or more who have equal Votes, the Senate shall chuse from them by Ballot the Vice-President.

The Congress may determine the Time of chusing the Electors, and the Day on which they shall give their Votes; which Day shall be the same throughout the United States.

No person except a natural born Citizen, or a Citizen of the United States, at the time of the Adoption of this Constitution, shall be eligible to the Office of President; neither shall any Person be eligible to that Office who shall not have attained to the Age of thirty-five Years, and been fourteen Years a Resident within the United States.

In Case of the Removal of the President from Office, or of his Death, Resignation, or Inability to discharge the Powers and Duties of the said Office, the same shall devolve on the Vice President, and the Congress may by Law provide for the Case of Removal, Death, Resignation or Inability, both of the President and Vice President, declaring what Officer shall then act as President, and such Officer shall act accordingly, until the Disability be removed, or a President shall be elected.

The President shall, at stated Times, receive for his Services, a Compensation, which shall neither be encreased nor diminished during the Period for which he shall have been elected, and he shall not receive within that Period any other Emolument from the United States, or any of them.

Before he enter on the Execution of his Office, he shall take the following Oath or Affirmation:—"I do solemnly swear (or affirm) that I will faithfully execute the Office of President of the United States, and will to the best of my Ability, preserve, protect and defend the Constitution of the United States."

SECTION 2. The President shall be Commander in Chief of the Army and Navy of the United States, and of the Militia of the several States, when called into the actual

Service of the United States; he may require the Opinion in writing, of the principal Officer in each of the executive Departments, upon any subject relating to the Duties of their respective Offices, and he shall have Power to Grant Reprieves and Pardons for Offenses against the United States, except in Cases of Impeachment.

He shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two-thirds of the Senators present concur; and he shall nominate, and by and with the Advice and Consent of the Senate, shall appoint Ambassadors, other public Ministers and Consuls, Judges of the supreme Court, and all other Officers of the United States, whose Appointments are not herein otherwise provided for, and which shall be established by Law; but the Congress may by Law vest the Appointment of such inferior Officers, as they think proper, in the President alone, in the Courts of Law, or in the Heads of Departments.

The President shall have Power to fill up all Vacancies that may happen during the Recess of the Senate, by granting Commissions which shall expire at the End of their next Session.

SECTION 3. He shall from time to time give to the Congress information of the State of the Union, and recommend to their Consideration such Measures as he shall judge necessary and expedient; he may, on extraordinary Occasions, convene both Houses, or either of them, and in Case of Disagreement between them, with Respect to the Time of Adjournment, he may adjourn them to such Time as he shall think proper; he shall receive Ambassadors and other public Ministers; he shall take Care that the Laws be faithfully executed, and shall Commission all the Officers of the United States.

SECTION 4. The President, Vice President and all civil Officers of the United States, shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors.

ARTICLE III

SECTION 1. The judicial Power of the United States, shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish. The Judges, both of the supreme and inferior Courts, shall hold their offices during good behaviour, and shall, at stated Times, receive for their Services a Compensation which shall not be diminished during their Continuance in Office.

SECTION 2. The judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution, the Laws of the United States, and Treaties made, or which shall be made, under their Authority;—to all Cases affecting Ambassadors, other public Ministers and Consuls;—to all Cases of admiralty and maritime Jurisdiction;—to Controversies to which the United States shall be a Party;—to Controversies between two or more States;—between a State and Citizens of another State;—between Citizens of different States;—between Citizens of the same State claiming Lands under Grants of different States, and between a State, or the Citizens thereof, and foreign States, Citizens or Subjects.

In all Cases affecting Ambassadors, other Public Ministers and Consuls, and those in which a State shall be Party, the supreme Court shall have original Jurisdiction. In all the other Cases before mentioned, the supreme Court shall have appellate Jurisdiction, both as to Law and Fact, with such Exceptions, and under such regulations as the Congress shall make.

The trial of all Crimes, except in Cases of Impeachment, shall be by Jury; and such Trial shall be held in the State where the said Crimes shall have been committed; but when not committed within any State, the Trial shall be at such Place or Places as the Congress may by Law have directed.

SECTION 3. Treason against the United States, shall consist only in levying War against them, or in adhering to their Enemies, giving them Aid and Comfort. No Person shall be convicted of Treason unless on the Testimony of two Witnesses to the same overt Act, or on Confession in open Court.

The Congress shall have power to declare the Punishment of Treason, but no Attainder of Treason shall work Corruption of Blood, or Forfeiture except during the Life of the Person attainted.

ARTICLE IV

SECTION 1. Full Faith and Credit shall be given in each State to the public Acts, Records, and judicial Proceedings of every other State. And the Congress may by general Laws prescribe the Manner in which such Acts, Records and Proceedings shall be proved, and the Effect thereof.

SECTION 2. The Citizens of each State shall be entitled to all Privileges and Immunities of Citizens in the several States.

A Person charged in any State with Treason, Felony, or other Crime, who shall flee from Justice, and be found in another State, shall on demand of the executive Authority of the State from which he fled, be delivered up, to be removed to the State having Jurisdiction of the Crime.

No Person held to Service or Labour in one State, under the Laws thereof, escaping into another, shall, in Consequence of any Law or Regulation therein, be discharged from such Service or Labour, but shall be delivered up on Claim of the Party to whom such Service or Labour may be due.

SECTION 3. New States may be admitted by the Congress into this Union; but no new State shall be formed or erected within the Jurisdiction of any other State; nor any State be formed by the Junction of two or more States, or parts of States, without the Consent of the Legislatures of the States concerned as well as of the Congress.

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

SECTION 4. The United States shall guarantee to every State in this Union a Republican Form of Government, and shall protect each of them against Invasion; and on Application of the Legislature, or of the Executive (when the Legislature cannot be convened) against domestic Violence.

ARTICLE V

The Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two-thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as part of this Constitution, when ratified by the Legislatures of three-fourths of the several States, or by Conventions in three-fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress; Provided that no Amendment which may be made prior to the Year One thousand eight hundred and eight shall in any Manner affect the first and fourth Clauses in the Ninth Section of the first Article; and that no State, without its Consent, shall be deprived of its equal Suffrage in the Senate.

ARTICLE VI

All Debts contracted and Engagements entered into, before the Adoption of this Constitution, shall be as valid against the United States under this Constitution, as under the Confederation.

This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or

which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.

The Senators and Representatives before mentioned, and the Members of the several State Legislatures, and all executive and judicial Officers, both of the United States and of the several States, shall be bound by Oath or Affirmation, to support this Constitution; but no religious Test shall ever be required as a Qualification to any Office or public Trust under the United States.

ARTICLE VII

The Ratification of the Conventions of nine States shall be sufficient for the Establishment of this Constitution between the States so ratifying the Same.

Done in Convention by the Unanimous Consent of the States present the Seventeenth Day of September in the Year of our Lord one thousand seven hundred and Eighty seven of the Independence of the United States of America the Twelfth. In Witness whereof We have hereunto subscribed our Names.

BILL OF RIGHTS

Congress of the United States, begun and held at the City of New York, on Wednesday, the fourth of March, one thousand seven hundred and eighty nine.

The Conventions of a number of the States having, at the time of their adopting the Constitution, expressed a desire, in order to prevent misconstruction or abuse of its powers, that further declaratory and restrictive clauses should be added: And as extending the ground of public confidence in the Government, will best insure the beneficent ends of its institution:

Resolved by the Senate and the House of Representatives of the United States of America in Congress assembled (two thirds of both Houses concurring), That the following Articles be proposed to the Legislatures of the several States, as Amendments to the Constitution of the United States; all, or any of which articles, when ratified by three fourths of the said Legislatures, to be valid to all intents and purposes, as part of the said Constitution, viz.

Articles in addition to, and Amendment of the Constitution of the United States of America, proposed by Congress, and ratified by the Legislatures of the several States, pursuant to the fifth Article of the Original Constitution.

Article the first—After the first enumeration required by the first Article of the Constitution, there shall be one Representative for every thirty thousand, until the number shall amount to one hundred, after which, the proportion shall be so regulated by Congress, that there shall be not less than one hundred Representatives, nor less than one Representative for every forty thousand persons, until the number of Representatives shall amount to two hundred, after which, the proportion shall be so regulated by Congress, that there shall not be less than two hundred Representatives, nor more than one Representative for every fifty thousand persons. [Not Ratified]

Article the second—No law, varying the compensation for the services of the Senators and Representatives, shall take effect, until an election of Representatives shall have intervened. [Not Ratified]

Article the third—Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

Article the fourth—A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

Article the fifth—No Soldier shall, in time of peace, be quartered in any house, without the consent of the owner, nor in time of war, but in a manner to be prescribed by law.

Article the sixth—The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

Article the seventh—No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or Naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case, to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use without just compensation.

Article the eighth—In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defence.

Article the ninth—In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact, tried by a jury, shall be otherwise re-examined in any Court of the United States, than according to the rules of the common law.

Article the tenth—Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

Article the eleventh—The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

Article the twelfth—The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

Attest,

FREDERICK AUGUSTUS MUHLENBERG,
Speaker of the House of Representatives.

JOHN ADAMS,
*Vice President of the United States,
and President of the Senate.*

JOHN BECKLEY,
Clerk of the House of Representatives.
SAM. A. OTIS,

Secretary of the Senate.

THE MONROE DOCTRINE, DECEMBER 2, 1823

Fellow citizens of the Senate and House of Representatives. At the proposal of the Russian Imperial Government, made through the minister of the Emperor residing here, a full power and instructions have been transmitted to the minister of the United States at St. Petersburg to arrange by amicable negotiations the respective rights and interests of the two nations on the northwest coast of this continent. A similar proposal had been made by His Imperial Majesty to the government of Great Britain, which has likewise been acceded to. The government of the United States has been desirous, by this friendly proceeding, of manifesting the great value which they have invariably at-

tached to the friendship of the Emperor and their solicitude to cultivate the best understanding with his government. In the discussions to which this interest has given rise and in the arrangements by which they may terminate, the occasion has been judged proper for asserting, as a principle in which the rights and interests of the United States are involved, that the American continents, by the free and independent condition which they have assumed and maintain, are henceforth not to be considered as subjects for future colonization by any European powers.

It was stated at the commencement of the last session that a great effort was then making in Spain and Portugal to improve the condition of the people of those countries, and that it appeared to be conducted with extraordinary moderation. It need scarcely be remarked that the result has been so far very different from what was then anticipated.

Of events in that quarter of the globe, with which have so much intercourse and from which we derive our origin, we have always been anxious and interested spectators. The citizens of the United States cherish sentiments the most friendly in favor of the liberty and happiness of their fellowmen on that side of the Atlantic. In the wars of the European powers in matters relating to themselves we have never taken any part, nor does it comport with our policy so to do. It is only when our rights are invaded or seriously menaced that we resent injuries or make preparation for our defense.

With the movements in this hemisphere we are of necessity more immediately connected, and by causes which must be obvious to all enlightened and impartial observers. The political system of the allied powers is essentially different in this respect from that of America. This difference proceeds from that which exists in their respective governments; and to the defense of our own, which has been achieved by the loss of so much blood and treasure, and matured by the wisdom of their most enlightened citizens, and under which we have enjoyed unexampled felicity, this whole Nation is devoted.

We owe it, therefore, to candor and the amicable relations existing between the United States and those powers to declare that we should consider any attempt on their part to extend their system to any portion of this hemisphere as dangerous to our peace and safety. With the existing colonies or dependencies of any European power we have not interfered and shall not interfere. But with the governments who have declared their independence and maintained it, and whose independence we have, on great consideration and on just principles, acknowledge, we could not view any interposition for the purpose of oppressing them, or controlling in any other manner their destiny, by any European power in any other light than as the manifestation of an unfriendly disposition toward the United States. In the war between those new governments and Spain we declared our neutrality at the time of their recognition, and to this we have adhered, and shall continue to adhere, provided no change shall occur which, in the judgment of the competent authorities of this government, shall make a corresponding change on the part of the United States indispensable to their security.

The late events in Spain and Portugal show that Europe is still unsettled. Of this important fact no stronger proof can be adduced than that the allied powers should have thought it proper, on any principle satisfactory to themselves, to have interposed by force in the internal concerns of Spain. To what extent such interpositions may be carried, on the same principle, is a question in which all independent powers whose governments differ from theirs are interested,

even those most remote, and surely none more so than the United States. Our policy in regard to Europe, which was adopted at an early stage of the wars which have so long agitated that quarter of the globe, nevertheless remains the same, which is, not to interfere in the internal concerns of any of its powers; to consider the government de facto as the legitimate government for us; to cultivate friendly relations with it, and to preserve those relations by a frank, firm, and manly policy, meeting in all instances the just claims of every power, submitting to injuries from none.

But in regard to those (the American) continents circumstances are eminently and conspicuously different. It is impossible that the allied powers should extend their political system to any portion of either continent without endangering our peace and happiness; nor can anyone believe that our southern brethren, if left to themselves, would adopt it of their own accord. It is equally impossible, therefore, that we should behold such interpositions in any form with indifference. If we look to the comparative strength and resources of Spain and those new governments, and their distance from each other, it must be obvious that she can never subdue them. It is still the true policy of the United States to leave the parties to themselves, in the hope that other powers will pursue the same course.

THE GETTYSBURG ADDRESS, NOVEMBER 19, 1863

Four score and seven years ago our fathers brought forth on this continent, a new nation, conceived in liberty, and dedicated to the proposition that all men are created equal.

Now we are engaged in a great civil war, testing whether that nation or any nation so conceived and so dedicated, can long endure. We are met on a great battlefield of that war. We have come to dedicate a portion of that field, as a final resting place for those who here gave their lives that that nation might live. It is altogether fitting and proper that we should do this.

But in a larger sense, we cannot dedicate—we cannot consecrate—we cannot hallow—this ground. The brave men, living and dead, who struggled here, have consecrated it, far above our poor power to add or detract. The world will little note, nor long remember what we say here, but it can never forget what they did here. It is for us the living, rather, to be dedicated here to the unfinished work which they who fought here have thus far so nobly advanced. It is rather for us to be here dedicated to the great task remaining before us—that from these honored dead we take increased devotion to that cause for which they gave the last full measure of devotion—that we here highly resolve that these dead shall not have died in vain—that this Nation, under God, shall have a new birth of freedom—and that government of the people, by the people, for the people, shall not perish from the earth.

THE STAR-SPANGLED BANNER (By Francis Scott Key)

O! say, can you see, by the dawn's early light,
What so proudly we hailed at the twilight's last gleaming:
Whose broad stripes and bright stars through the perilous fight,
O'er the ramparts we watched were so gallantly streaming,
And the rocket's red glare, the bombs bursting in air,
Gave proof through the night that our flag was still there;

O! say, does that Star-spangled Banner still wave

O'er the land of the free and the home of the brave?

On the shore, dimly seen through the mist of the deep,

Where the foe's haughty host in dread silence reposes,

What is that which the breeze, o'er the towering steep,

As it fitfully blows, half conceals, half discloses?

Now it catches the gleam of the morning's first beam—

In full glory reflected, now shines on the stream;

'Tis the Star-spangled Banner, O! long may it wave

O'er the land of the free and the home of the brave.

And where is the band who so vauntingly swore

That the havoc of war and the battle's confusion

A home and a country would leave us no more?

Their blood has washed out their foul footsteps' pollution.

No refuge could save the hireling and slave

From the terror of flight or the gloom of the grave!

And the Star-spangled Banner in triumph doth wave

O'er the land of the free and the home of the brave.

O! thus be it ever when freemen shall stand

Between their loved homes and the foe's desolation;

Bless'd with victory and peace, may our Heaven-rescued land

Praise the Power that hath made and preserved us a nation.

Then conquer we must, for our cause it is just—

And this be our motto—"In God is our trust!"

And the Star-spangled Banner in triumph shall wave

O'er the land of the free and the home of the brave.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, I renew my motion that the Senate adjourn until 10 o'clock tomorrow morning.

The motion was agreed to; and (at 1 o'clock and 56 minutes p.m.) the Senate adjourned, under the previous order, until tomorrow, Tuesday, September 18, 1962, at 10 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate September 17, 1962:

DIPLOMATIC AND FOREIGN SERVICE

W. Walton Butterworth, of Louisiana, a Foreign Service officer of the class of career ambassador, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Canada.

INTERNATIONAL ATOMIC ENERGY AGENCY

Glenn T. Seaborg, of California, to be the representative of the United States of America to the sixth session of the General Conference of the International Atomic Energy Agency.

The following-named persons to be alternate representatives of the United States of America to the sixth session of the General Conference of the International Atomic Energy Agency:

Henry DeWolf Smyth, of New Jersey.

Robert E. Wilson, of Illinois.

James T. Ramey, of Illinois.

William I. Cargo, of Florida.

HOUSE OF REPRESENTATIVES

MONDAY, SEPTEMBER 17, 1962

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Philippians 4: 19: *My God shall supply all your need according to His riches in glory by Christ Jesus.*

Almighty God, Thou art here in this Chamber for Thou art everywhere, and always seeking to make our hearts the sanctuaries of Thy presence and Thy peace.

Cleanse us of everything that mars our loftiest aspirations and makes us unworthy of Thy blessings.

Inspire us to feel the urgency and pressure of Thy Holy Spirit, struggling to bring to fulfillment and fruition those nobler capacities and hidden splendors of our inner life.

May we give Thee the right-of-way and the place of preeminence in all the areas of our life, trusting ourselves to Thy keeping and guidance.

Help us daily to rise to new heights of endeavor and ever holding our own desires in abeyance until Thou dost declare Thy will.

Hear us in Christ's name. Amen.

THE JOURNAL

The Journal of the proceedings of Friday, September 14, 1962, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. McGown, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 9914. An act for the relief of San-Man Inn of Manning, Inc.

The message also announced that the Senate had passed concurrent resolutions of the following titles, in which the concurrence of the House is requested:

S. Con. Res. 90. Concurrent resolution authorizing the printing for the use of the Joint Economic Committee of additional copies of its hearings entitled "State of the Economy and Policies for Full Employment."

S. Con. Res. 91. Concurrent resolution authorizing the printing of additional copies of the hearings on Department of Agriculture handling of pooled cotton allotments of Billie Sol Estes.